

NEIGHBORHOOD COMMERCIAL REZONING STUDY

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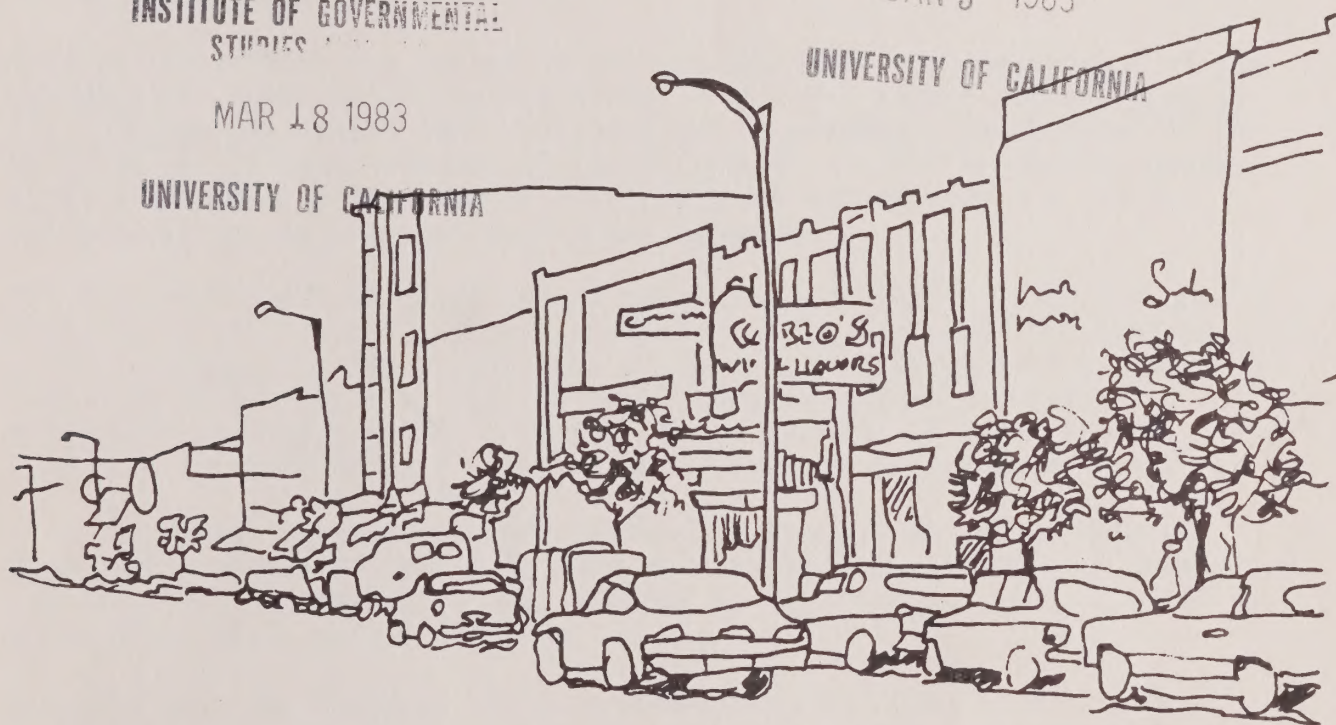
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PROPOSED ARTICLE OF THE PLANNING CODE FOR NEIGHBORHOOD COMMERCIAL DISTRICTS

JANUARY 1983

San Francisco Department of City Planning



December 31, 1982

As part of the Neighborhood Commercial Rezoning Study, the Department of City Planning has prepared the Proposed Article of the Planning Code for Neighborhood Commercial Districts, for citizen review. This report presents and explains the Department recommendation to update, clarify and reformat the existing neighborhood commercial categories, controls and procedures into Article 7, a new section of the City Planning Code created exclusively for neighborhood commercial districts.

This is the second in a series of reports detailing various aspects of the Neighborhood Commercial Rezoning Study. The first report titled Proposed Zoning Framework (March 1982) outlined the Department's recommendation for a citywide neighborhood commercial zoning system. Following several months of staff and community interaction the Department has refined the initial recommendation and prepared draft Code language.

The enclosed report is comprised of two major sections: first, the general explanation of the proposed text amendments which includes the proposed zoning control categories, the translation of the existing neighborhood commercial districts into Article 7, and the recommended neighborhood commercial zoning procedures, and second, the proposed text amendments in Code language. The report is accompanied by a Negative Declaration of the proposed project.

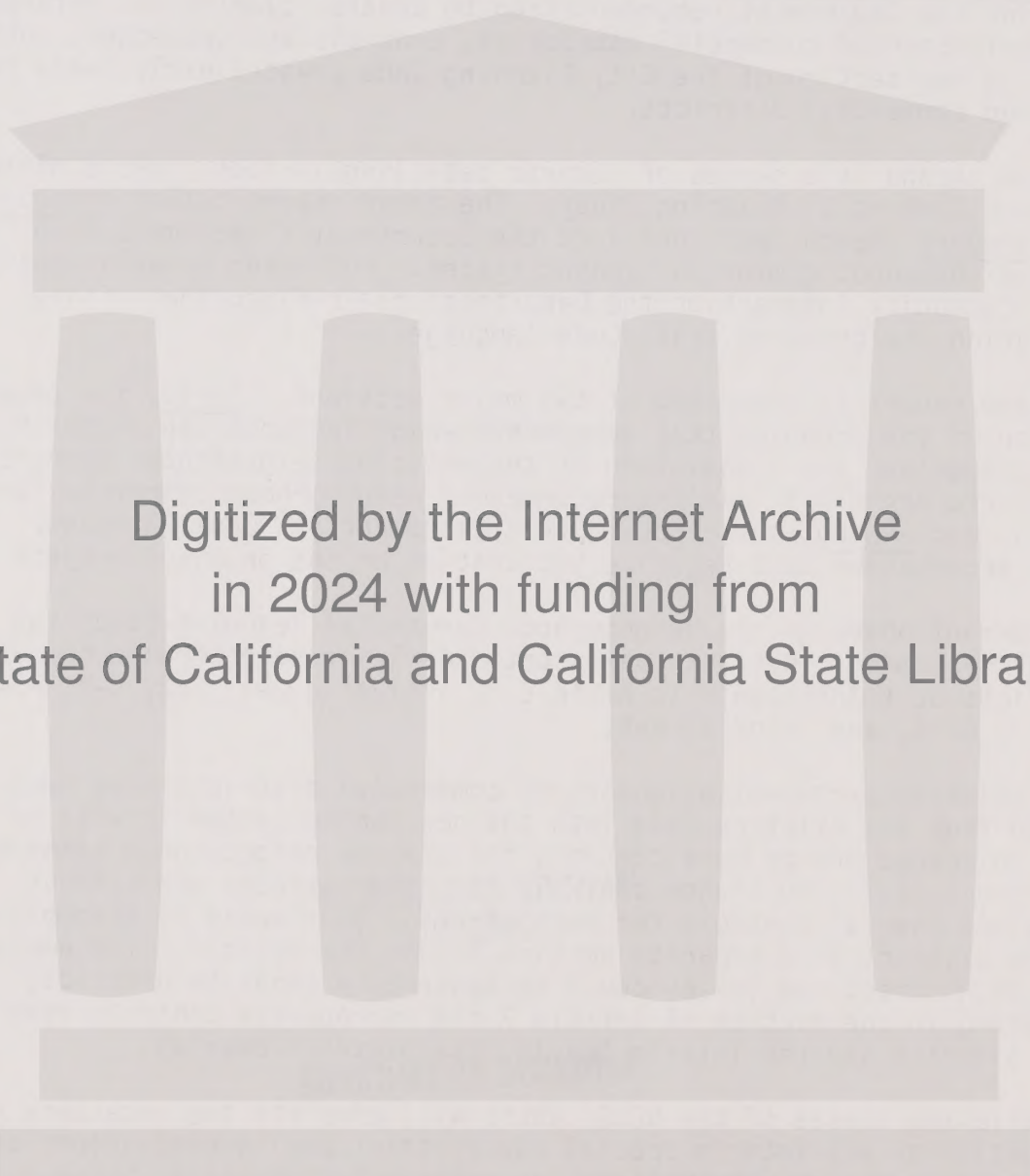
In this current phase of the Neighborhood Commercial Rezoning Study the Department recommends that only permanent underlying neighborhood commercial use districts be translated into Article 7, including C-1, C-2, C-M, RC-1, RC-2, RC-3, RC-4, and Union Street.

Once the existing permanent neighborhood commercial districts have been translated from the existing Code into the new zoning system it will be possible to change one or more controls for any one neighborhood commercial street without having to change ~~controls for other streets~~ and without necessitating overlay controls for each street. This would be accomplished by adding the district as a separate section within the Article 7 framework. For example, 24th Street-Noe Valley could be added as a separate district, incorporating in one section of Article 7 the appropriate controls from both the RC-1 district and the interim Special Use District overlay.

In the following phases of the NCRS, staff will complete the necessary review and evaluation of all interim special use district zoning regulations and the Department will make recommendations for permanent controls in these neighborhood commercial districts. Until recommendations are published and CPC action taken to initiate permanent controls for districts with interim special use controls, it will be necessary to extend the SUD controls for Sacramento, Upper Fillmore, Haight, Castro, Upper Market-West, Upper Market-East, 24th-Noe Valley, 24th-Mission, and Valencia Streets.

Public hearings before the City Planning Commission to consider both the proposed Article 7 and the Special Use District extension have been scheduled for January 27, 1983, at 3:00, at City Hall, Room 282. If you have any questions please call the NCRS staff at 558-2101.

Enclosure



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INTRODUCTION

This report presents and explains the Department's recommendations to update, clarify, and reformat the existing neighborhood commercial districts, control categories, and procedures into a new Article 7 of the City Planning Code.

This is the second in a series of reports detailing various aspects of the Neighborhood Commercial Rezoning Study. The first report titled Proposed Zoning Framework (March 1982), outlined the Department's recommendation for a comprehensive neighborhood commercial zoning system.

After 9 months of staff and community interaction, data collection, and refinement of the initial recommendation, the Department is now ready to present the proposal to initiate Article 7, a new section of the Code designed solely for neighborhood commercial districts complete with a standard set of zoning categories and zoning procedures.

The following report is comprised of two major sections: first, the general explanation of the proposed text amendments which includes the proposed zoning control categories, the translation of the existing neighborhood commercial districts into Article 7, and the recommended neighborhood commercial zoning procedures, and second, the proposed text amendments in Code language. The report is accompanied by a Negative Declaration of the proposed project.

In this current phase of the Neighborhood Commercial Rezoning Study the Department recommends that only permanent underlying neighborhood commercial use districts be translated into Article 7, including C-1, C-2, C-M, RC-1, RC-2, RC-3, RC-4, and Union Street. However, all additional interim controls such as special use districts, moratoria, and proposed reclassifications will remain in effect in conjunction with the base neighborhood commercial use districts until the Department completes adequate review and evaluation.

In the following phases of the overall NCRS staff will complete the necessary review and evaluation of all interim zoning regulations and the Department will make recommendations for permanent controls in neighborhood commercial districts. These recommendations will be published in the form of individual neighborhood commercial district reports titled Proposed Boundaries and Controls which will be accompanied by an environmental evaluation and an economic assessment.

The proposed new Article 7 which appears in Chapter V is designed to achieve three major objectives:

1. To update, clarify and reformat the existing neighborhood commercial zoning categories into a new part of the Code, Article 7, created exclusively for neighborhood commercial districts; and
2. To translate all current permanent neighborhood commercial zoning classifications -- C-1, C-2, C-M, RC-1, RC-2, RC-3, RC-4, and the Union Street Special Use District -- into Article 7; and
3. To adopt a revised set of zoning procedures designed for neighborhood commercial districts to remedy current problems within the zoning process as well as facilitate future consistent and equitable changes.

CHAPTER I. RECOMMENDED NEIGHBORHOOD COMMERCIAL ZONING CATEGORIES

With the exception of the Union Street Special Use District, the permanent zoning provisions currently in effect for San Francisco's neighborhood commercial districts were adopted in 1960 based on studies made by the Department during the 1950s. Over the last 20 years changes in land use and shifts in market forces have indicated the need for a re-examination of these Code standards. The urgency of this task is underscored by actions of the Board of Supervisors and City Planning Commission to initiate additional zoning controls, adopt various zoning reclassifications, interim special use district overlays, and moratoria, as well as hearing individual ad hoc discretionary review cases.

The Department originated the Neighborhood Commercial Rezoning Study in response to the conditions described above. The principal objective of the study was to develop a citywide neighborhood commercial zoning framework with the flexibility to address the needs of individual districts.

The Neighborhood Commercial Rezoning Study has attempted to consider neighborhood commercial districts in a comprehensive manner, recognizing the full range of issues and problems. In March 1982, the Department published the first NCRS report titled Proposed Zoning Framework, which outlined the proposal to update the City Planning Code text for neighborhood commercial districts. This report identified and examined a list of zoning categories and controls for neighborhood commercial districts.

Over the past several months, the Department has reviewed and modified this initial proposal, completing a comprehensive study of all zoning categories and controls which affect neighborhood commercial districts. The new proposed Article 7 consolidates all existing neighborhood commercial control categories, unlike the current Code which lists the categories by separate Article (e.g. rear yards, Article 1.2, off street parking, Article 1.5, and permitted uses Article 2). The complete list of proposed neighborhood commercial zoning categories is as follows:

PROPOSED ZONING CATEGORIES

BUILDING ENVELOPE

2. Rear Yards
3. Open Space
4. Residential Off-Street Parking
5. Commercial Off-Street Parking
6. Institutional Off-Street Parking
7. Off-Street Freight Loading
8. Height
9. Floor Area Ratio
10. Dwelling Unit Density
11. Square Footage per Establishment
12. Drive-Up Facility
13. Outdoor Activity
14. Accessory Off-Street Parking

GENERAL CHARACTERISTICS

20. Street Trees
21. Projecting Business Sign
22. General Advertising Sign
23. Awning

PERMITTED USES BY STORY

Retail Sales and Personal Services

40. Bar
41. Full-Service Restaurant
42. Self-Service Restaurant
43. Take-Out Food Establishment
44. Liquor Store
45. Cabaret
46. Movie Theater
47. Amusement Enterprise
48. Adult Entertainment Facility
49. Hotel
50. Motel
51. Animal Clinic or Hospital
52. Commercial Kennel or Stable
53. Automobile Service Station - Gas Only
54. Automotive Service Station - Gas with Minor Auto Repair
55. Automobile Repair Facility - Mechanical and Auto Body Repair
56. Automobile Wash
57. Tire Recapping Facility
58. Sale or Rental of New or Used Vehicles
59. Lot for Sale or Rental of New or Used Vehicles
60. Community Residential Garage
61. Parking Garage or Lot
62. Commercial Vehicle Storage Garage
63. Parcel Delivery Service
64. Automatic Laundering and Off-Site Dry Cleaning Establishment
65. On-Site Dry Cleaning Establishment
66. Trade Shop
78. Other Retail Sales and Personal Services

Offices

80. Financial Office
81. Other Office

Miscellaneous Other Uses

- 90. Assembly Facility
- 91. Greenhouse or Plant Nursery
- 92. Truck Gardening
- 93. Ambulance Service
- 94. Mortuary Establishment
- 95. Public Structure
- 96. Utility Installation
- 97. Public Transportation Facility or Wireless Transmission Facility
- 98. Planned Unit Development

Wholesaling and Manufacturing

- 100. Household Storage
- 101. Wholesaling, Light Manufacturing, or Food Processing Establishment

Housing

- 110. Dwelling Unit
- 111. Group Housing

Institutions

- 120. Hospital or Medical Center
- 121. Clinic - Outpatient Facility
- 122. Residential Care Facility, with up to 6 persons
- 123. Residential Care Facility, with more than 6 persons
- 124. Child-Care Facility, with up to 12 children
- 125. Child-Care Facility, with more than 12 children
- 126. Elementary, Secondary, and Post-Secondary Schools
- 127. Industrial Arts School
- 128. Church or Philanthropic Facility

These proposed zoning categories can be divided into the following three groups:

1. Categories which are equivalent to existing Code sections and are simply translations into the new Article.
2. Categories which are similar to existing Code sections but require some modification prior to translation into the new Article 7.
3. Categories which are new and proposed for inclusion in the new Article 7 to address individual needs of neighborhood commercial districts which have not been adequately addressed by the existing Code.

1. The proposed zoning categories which are simply translations from the existing Code into Article 7 are listed below. Because these are not controversial sections they do not warrant extensive discussion. Definitions of the categories appear in Section 702 of the proposed code text. See Chapter 5, Section 702.

Existing Control Category	Existing Code § No.	Defined in Proposed Code § No.
Open Space	135	702.3
Residential Off-Street Parking	151 (Table 4)	702.4
Commercial Off-Street Parking	151 (Table 4)	702.5
Institutional Off-Street Parking	151 (Table 4)	702.6
Off-Street Freight Loading	152	702.7
Height	Article 2.5	702.8
Floor Area Ratio	124 (Table 1)	702.9
Street Trees	143	702.20
General Advertising Sign	602.7, 606, 607	702.21
Projecting Business Sign	606	702.22
Movie Theater	221(d)	702.46
Adult Entertainment Facility	221(k)	702.47
Auto Wash	223(j)	702.56
Tire Recapping Facility	223(k)	702.57
Community Garage	209	702.58
Automatic Laundry	220(c)	702.64
Greenhouse, Plant Nursery	227(a)	702.91
Truck Gardening	227(b), 209.5(c)	702.92
Ambulance Service	223(s)	702.93
Mortuary Establishment	227(c)	702.94
Public Structure	227(d), 209.6(a)	702.95
Utility Installation	227(e), 209.6(b)	702.96
Planned Unit Development	227(m), 209.9(b)	702.98
Household Storage	225(a)	702.100
Hospital or Medical Center	217(a), 209.3(a)	702.120
Out-patient Clinic	217(c)	702.121
Residential Care Facility, up to 6 persons	209.3(b)	702.122
Residential Care Facility, more than 6 persons	209.3(c)	702.123
Child Care Facility, up to 12 children	209.3(e)	702.124
Child Care Facility, more than 12 children	209.3(f)	702.125
Industrial Arts School	217(i)	702.127

2. Other existing sections of the Code have been updated, clarified, or in some way modified before translation into Article 7. These proposed categories can be subdivided into two groups: (a) those proposed categories which are existing code sections with modified definitions; and (b) those which are the result of consolidation of two or more existing code sections. They are summarized below.

EXISTING CODE SECTIONS WITH MODIFIED DEFINITIONS

Control Category	Existing Code § No.	Defined in Proposed Code § No.	Definitional Change Proposed
Rear Yard	134	702.2	Rear yard standard eliminated, defined simply as "rear portion of lot". The 25% or 15 ft. standard becomes part of the applied control.
Dwelling Density	215(a) 209.1(i-1)	702.10	Definition simply describes method of density control; specific density standards become part of the applied control.
Drive-Up Facility	212(b) 209.8(a-d)	702.12	Identified as a separate zoning category rather than one part of the existing Code section, "Additional Requirement for Uses in Commercial Districts". The new category is titled "Drive-Up Facility" and the definition modified to specify permitted take-out service operation.
Outdoor Activity	212(b)	702.13	Identified as separate zoning category rather than one part of the existing Code section titled "Additional Requirements for Uses in Commercial Districts". The new category is titled "Outdoor Activity" and the definition expanded to specify the types and location of permitted outdoor activities.

Control Category	Existing Code § No.	Defined in Proposed Code § No.	Definitional Change Proposed
Awning	136(c).12	702.23	Identified as a separate zoning category rather than one part of the existing Code section titled "Permitted Obstruction". The new category is titled "Awning" and defined per the existing building code.
Permitted Uses by Story	209(d)	702.30 702.31 702.32 702.33	Current RC definition refined and elaborated upon to identify each upper story use both by floor and by permitted use. The current code fails to distinguish the upper stories of a building or distinguish types of permitted commercial uses.
Parcel Delivery Service	223(r)	702.63	Definition modified to specify that the permitted operation be primarily a retail facility confined to the sorting and distribution of local retail merchandise for home deliveries, excluding garage and repair facilities.
Trade Shop	222(a-j)	702.66	Category title changed from "Home and Business Services" to "Trade Shops"; definition modified to require that all establishments maintain live retail frontage including some window display space.

In the updating process certain existing trade shops have been redefined. First, the interior decorating shop is no longer considered a "Trade Shop", instead it is included as a "Retail Sales and Personal Service". The rationale is that the interior decorating business today operates as a retail storefront not a trade shop, and should be permitted in neighborhood commercial districts.

Control Category	Existing Code § No.	Defined in Proposed Code § No.	Definitional Change Proposed
			<p>The office of a contractor is also eliminated as a trade shop and listed either as an "Other Office" or "Wholesaling" use. This listing is contingent on the use of the contractor's office for storage purposes. The rationale is that if the contractor's office is used principally for storage purposes it is not a neighborhood commercial use and therefore should be regulated in these districts. However, if the office includes storage which is only accessory to the office use it is considered a business office and permitted as a principal use in neighborhood commercial districts.</p>
Other Retail Sales & Personal Services	218(a-b) 209.8(a-d)	702.78	<p>Definition modified, to include only the miscellaneous retail sales or personal service uses not already covered in the specific listing of proposed zoning categories.</p> <p>In the updating of this section certain C-1 provisions have been eliminated including the regulation of the geographical service area of a shopping district and the prohibition of the sales of used commodities. The rationale is that the distinctions made in the current code are vague and arbitrary. Because it is impossible to administer, review or enforce the geographical service area requirement the Department cannot implement the control. And because the Department does not have a meaningful definition for acceptable vs. unacceptable used commodities that distinction is also dropped in the updating process.</p>

Control Category	Existing Code § No.	Defined in Proposed Code § No.	Definitional Change Proposed
Other Office	219(a-b)	702.81	<p>Definition modified to eliminate the existing distinction of professional and business offices as separate zoning categories. The rationale is that both types of offices are similar uses with no clearly defined difference, hence it is not necessary to maintain separate control categories.</p> <p>Offices have been redefined to identify the non-retail and non-personal service type commercial establishments. This distinction is important when administering the upper story commercial mix controls.</p>

CONSOLIDATION OF TWO OR MORE EXISTING CODE SECTIONS

Control Category	Existing Code § No.	Defined in Proposed Code § No.	Consolidation Proposed
Amusement Enterprise	221(e-f)) 209.3(a-b)	702.47	Consolidates two existing Code sections into one zoning category titled "amusement enterprise". The definition has also been revised as applied to places of entertainment.
Hotel	209.2(d-e) 216.b	702.49	Updating includes both definitional and consolidation changes. Hotels are re-defined, identified and listed as "Retail Sales and Personal Service" rather than "Other Housing", as currently codified. The rationale is that the hotel unit is a commercial personal service for non-San Francisco residents and should not be identified or mistaken as a housing unit for a permanent San Francisco resident.

Control Category	Existing Code § No.	Defined in Proposed Code § No.	Consolidation Proposed
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In addition, three existing code sections are consolidated into one zoning category with one definition. This consolidation eliminates an existing RC section which identifies and permits hotels with up to 5 rooms and permits by conditional use hotels with more than 5 rooms.

The rationale for this consolidation is that in conjunction with the recommendation to identify the hotel as a commercial "Retail Sales Use" rather than an "Other Housing" use, it is reasonable to conclude that the appropriate RC control would then be conditional use, regardless of the number of rooms.

Motel	216(c-d)	702.50	Consolidates the two existing motel sections into one control category with one definition, eliminating the current distinction for location of the motel entrance in relation to the nearest R district. The rationale is that because motels are sensitive uses in neighborhood commercial districts each new use should be carefully reviewed regardless of auto access.
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Motels are also identified and defined as "Retail Sales and Personal Service" rather than "Other Housing", as currently codified. The rationale is that the motel unit, like the hotel unit, is a personal service and not a housing unit therefore should be regulated as a commercial use.

Control Category	Existing Code § No.	Defined in Proposed Code § No.	Consolidation Proposed
Animal Clinic or Hospital	224(a-b)	702.51	Consolidates two existing animal hospital code sections into one control category. The rationale is that all animal hospitals with overnight care, when located in a neighborhood commercial district, should be conducted within an enclosed building.
Kennel or Stable	224(c-d)	702.52	Consolidates two existing code sections into one zoning control category. The rationale is that the control applied for both uses in each neighborhood commercial district classification is the same (e.g. both the kennel and stable are not permitted in C-1 district and both the kennel and stable are permitted in the C-M district). This similar application of the two control categories indicates that one category is sufficient in the regulation of both uses.
Automotive Service Station -Minor Auto Repair	223(f-g)	702.54	<p>These existing Code sections have been modified and consolidated to reflect the changes in the automotive industry over the past 20 years.</p> <p>The two existing Code sections covering minor and major auto repair have been consolidated into one control category. The rationale is that this updating of the code is a necessary response to the technological advancements of the auto industry which now enable any station with service bays to complete the same types of automotive repairs.</p>

Control Category	Existing Code § No.	Defined in Proposed Code § No.	Consolidation Proposed
Sale or Rental of new or used Vehicles	223(a-b)	702.58	Consolidates four existing sections of the code into two control categories, consoli- dating the sale of all vehicles (autos, trucks, trailers) into one category but preserving the distinction of sales within enclosed buildings and open lots. The rationale is that the existing control applied for the sales of new or used autos and trucks is the same in each neighborhood commercial district, hence the distinction is not necessary. It is the distinction between the enclosed building and open lot sales which should be maintained and receive separate control application.
Lot for Sale or Rental of new or used Vehicles	223(c-e)	702.59	
Parking Garage or Lot	223(l-p) 209.7(a,c)	702.60	Consolidates all categories relating to private or public parking garages, lots or accessory lots which exceed the standards set forth in Code Section 204.5 into one control category with one definition. The rationale is that the existing control applied for each of these uses in each of the neighborhood commercial districts is largely the same .
Commercial Vehicle Storage	223(t-u)	702.62	Consolidates the two existing code sections regarding storage yards and garages (for commercial vehicles) into one control category. The rationale is that both uses are not permitted in any neighborhood commercial district except the existing C-M (Heavy Commercial District) where both uses are permitted, hence the distinction is not necessary.

Control Category	Existing Code § No.	Defined in Proposed Code § No.	Consolidation Proposed
On-Site Dry Cleaning Establishment	220(c-d)	702.65	Consolidates and updates the two categories for "On-Site Dry-Cleaning" establishments, eliminating the current load factor distinction. The rationale is that technological advancements over the past 20 years have created new machinery capacities in the dry cleaning industry which negate the current load distinctions.
Assembly Facility	221(a-c) 209.4(a-b) 209.5(a-b)	702.90	Consolidates seven existing code subsections; club house, neighborhood center, lodge, meeting hall, open recreation area, open horticultural area, into one zoning category titled "assembly facility". The rationale is that the existing control applied for each of these uses in each neighborhood commercial district is the same.
Transportation, or Wireless Trans- mission Facility	227(f-i)	702.97	Consolidates two existing code sections into one control category, retaining current individual definitions for each section. The rationale is that the controls for both uses in each neighborhood commercial district are largely the same.
Wholesaling, Light Manufacturing, or Food Processing	225, 226	702.101	Consolidates these separate sections into one category retaining current definitions. The rationale is that the existing controls applied for each of these non-retail uses in each neighborhood commercial district is largely the same, hence separate control categories are not necessary.

Control Category	Existing Code § No.	Defined in Proposed Code § No.	Consolidation Proposed
			In addition, as noted under "Trade Shop", the existing "office of a contractor" (section 220(b)), has been consolidated into this non-retail control category of the code. The rationale is that this use is primarily a contractor's storage place is regulated as a wholesale use in the neighborhood commercial districts.
Group Housing	216(a) 209.2(a-c)	702.111	Consolidates three existing Group Housing code sections into one control category. The rationale is that all the group housing types are similar uses and should be regulated in each neighborhood commercial district in the same manner.
Elementary, Secondary and Post Secondary Schools	217(f-h) 209.3(g-i)	702.126	Consolidates all existing sections relating to schools (except for industrial arts schools), into one category. The rationale is that the existing controls for each of these institutional uses in each neighborhood commercial district is the same, hence separate control categories are not necessary.
Church or Philanthropic Facility	217(d & j) 209.3(d & j)	702.128	Consolidates two existing code sections into one control category. The rationale is that both uses have the same level of control in each of the neighborhood commercial districts therefore two sections are not necessary.

3. Finally, certain new control categories are proposed for neighborhood commercial districts. These proposed categories can be subdivided into two groups:

(a) those which are not currently addressed in the RC, C-1, C-2, or CM districts but determined to be necessary in the initiation of the Union Street neighborhood commercial district. In some cases the change is to separately identify one type of use (i.e. bars) from a broader category (eg. retail sales) thus enabling special regulations of bars without specially regulating all other uses which fall under the "retail sales" category. Certain Union Street control categories have been updated and modified prior to translation into Article 7; and

(b) those which are not currently addressed in the RC, C-1, C-2, C-M, or Union Street neighborhood commercial districts but are determined necessary for all districts.

EXISTING UNION STREET SPECIAL USE DISTRICT CONTROLS

Control Category	Defined in Proposed Code § No.	Recommendation Rationale
Square Footage Per Establishment	702.11	<p>The control of the size of commercial uses in neighborhood commercial districts is necessary to preserve the existing scale of development, and assure that future development is in scale with neighborhood character. In addition, this control could assist in the prevention of traffic and congestion which could result from larger scale uses and to some extent assist in the preservation of storefronts for local serving businesses which are sometimes displaced in the competition for commercial space by larger scale retail uses which tend to serve a larger market area.</p> <p>The existing Union Street linear frontage control has been eliminated in the updating and translation of the controls. The rationale is that the intent of the control, to preserve existing scale of development, is adequately covered in the square footage per establishment requirement.</p>

Control Category	Defined in Proposed Code § No.	Recommendation Rationale
Accessory Parking & Loading	702.14	The control of accessory parking and loading is necessary to regulate all non-residential off-street parking which is currently permitted as an accessory use and not regulated by the Code.
Bar	702.40	<p>The control of bars, restaurants, and liquor stores in neighborhood commercial districts is necessary to monitor the distribution, location, and proliferation of these uses in districts undergoing increased levels of commercial activity.</p> <p>Curtailing the number of bars, restaurants, and liquor stores may be necessary in a given commercial district to maintain a balanced mix of commercial retail goods and services and to ensure that additional like uses would not threaten the neighborhood orientation of the district. In addition, the control could assist in deterring concomitant nuisances associated with a proliferation of these types of uses such as noise, traffic, congestion and increased late night activity.</p> <p>Eating and drinking establishments have been broken out into five separate categories because each of the uses may require a different control in a given district. First, the off-sale liquor store is identified as a separate zoning category and defined to include those retail establishments which sell liquor for consumption off the premises.</p> <p>Bars and restaurants, both eating and drinking establishments, are identified separately because each has a very different orientation. Bars are primarily associated with drinking and late night adult activity while restaurants, even those which may also have liquor on the premises, can be family and neighborhood oriented.</p>
Full-Service Restaurant	702.41	
Self-Service Restaurant	702.42	
Take-Out Food Est.	702.43	
Liquor Store	702.44	

Control Category	Defined in Proposed Code § No.	Recommendation Rationale
		<p>The more general restaurant category is further refined to differentiate between the full-service, self-service, and take-out food establishments. Therefore, if the density is to be regulated by setting threshold numbers, the appropriate threshold number may differ for each of these uses.</p> <p>In the process of updating the Union Street controls for application in all neighborhood commercial districts the one existing restaurant category has been separated into two categories, the full-service (table service) and the self-service restaurant. The rationale is that this distinction provides a means to regulate the fast food, cafeteria style restaurant separately from the traditional sit-down full service restaurant.</p> <p>The existing "fast food restaurant" category has been retitled, "Take-Out Food Establishment". The rationale is that the "Fast Food" title is too general, and could include both "Self-Service" and "Take Out Food Establishments".</p>
Cabaret	702.45	<p>Controls are necessary for late hour retail establishments to regulate the location, type, and distribution of these uses in neighborhood commercial districts, and to maintain a mix of retail sales and services compatible with the adjacent residential community.</p>
Financial Office	702.80	<p>Controls for financial offices are necessary to regulate the location, distribution, and design of these types of uses in neighborhood commercial districts undergoing increased levels of commercial activity.</p> <p>Regulation of financial offices is necessary in certain neighborhood commercial districts to maintain a variety of retail sales and services available and ensure that any additional uses offer a full range of necessary financial services to the neighborhood.</p>

PROPOSED NEW ZONING CATEGORIES

Control Category	Defined in Proposed Code § No.	Recommendation Rationale
Automobile Service Station - Gas Only	702.53	The "gas only" auto use is identified as a separate zoning category, recognizing that this is a new accessory retail use that operates without any service bay on the premises.
Off-Site Dry Dry Cleaning Est.	702.64	New category and definition created to differentiate the off-site dry cleaning from on site dry cleaning establishments. The rationale is that this type of retail operation, currently a viable neighborhood business, is regulated in the dry cleaning section of the code with on-site cleaning facilities. However, an off-site dry cleaning establishment which only accepts clothes or items for cleaning and sends them off the premises to be processed, offers a neighborhood service and does not produce offensive environmental nuisances associated with the on-site dry cleaning facilities such as machinery, fluids, and ventilation systems.
Dwelling Unit	702.110	A new Code section has been created to identify the dwelling unit as a permitted use category in neighborhood commercial districts. The current Code refers to the dwelling unit only in relation to the permitted density ratio standard. The proposed definition is a simple translation of the existing definition used in the Housing Code.

CHAPTER II.
RECOMMENDED TRANSLATION OF EXISTING NEIGHBORHOOD COMMERCIAL USE
AUTHORIZATIONS INTO ARTICLE 7

The use authorizations proposed for neighborhood commercial districts include a simple translation of uses permitted by the existing code for all use districts set forth in Article 2, including permitted as a principal use, conditional use, and accessory use. However, the use limitations of certain use authorizations for neighborhood commercial districts have been updated, modified, or consolidated prior to translation into Article 7, Section 703 as follows:

Use Authorization	Existing Code § No.	Proposed Code § No.	Change Proposed
Principal Use	202, 209, 212	703.1	Consolidates three existing principal use limitations in one section of Article 7, 703.1. The current Code defines permitted uses first, generally for all use districts and then specifically and separately for RC and C districts. The rationale for consolidation is based on the effort to consolidate all existing neighborhood commercial use districts, controls, and authorizations.
Special Use	202	703.1	Consolidates the special use and the conditional use authorizations. The rationale for this consolidation is that the special use designation applies only to one permanent neighborhood commercial special use district in Article 7, Union Street. This district originated as an overlay onto a base C-2 use district supplementing the underlying zoning controls with additional use categories, authorizations, and review procedures. However, in conjunction with the translation of the overlay and base district into Article 7 each of the special uses (i.e. bars, restaurants, financial offices) have been identified as separate zoning categories and therefore can be controlled by a conditional use designation.

Use Authorization	Existing Code § No.	Proposed Code § No.	Change Proposed
Accessory Uses	204.1 204.2 204.3 204.4	703.1	<p>Updates, modifies, and consolidates four existing Code sections into Article 7 to apply to all neighborhood commercial districts. The rationale for this is based on the overall project effort to consolidate all existing neighborhood commercial use districts, controls, and authorizations into one Article of the Code.</p> <p>The current Code identifies accessory uses in R districts separately from accessory uses in C districts. The regulations for accessory uses in R districts are defined in sections 204.1 and 204.2. Because the RC district is defined as an R district, they take precedence. However, these regulations are not altogether appropriate for permitted commercial uses in residential commercial (RC) districts. In the process of updating and translating these sections into Article 7, certain regulations determined inappropriate for neighborhood commercial districts are either modified or eliminated.</p> <p>The sections regulating accessory uses in C districts, 204.3 and 204.4 have also been revised and updated. Certain accessory use sections which are not appropriate and are not even currently administered (i.e. number of people employed on the premises) have been eliminated while other sections, not currently covered (i.e. outdoor activiy) have been added. Certain other accessory use sections not applicable to neighborhood commercial districts are not proposed for translation.</p>

In addition to the translation of use authorizations this project addresses the compliance of uses in neighborhood commercial districts, specifying the regulations for nonconforming uses, noncomplying structures and automatic conditional uses in Article 7. These regulations are simply translations of existing Code Sections 180 (Nonconforming Uses) and 303(f) (Automatic Conditional Uses) into Section 703.2.

CHAPTER III.
RECOMMENDED TRANSLATION OF EXISTING NEIGHBORHOOD COMMERCIAL DISTRICT CONTROLS
INTO ARTICLE 7

The proposed zoning categories outlined in Chapter I of this report provide a comprehensive framework into which each existing neighborhood commercial district can be translated. The neighborhood commercial districts which are recommended for translation into Article 7 at this time are all of the permanent neighborhood commercial districts, namely C-1, C-2, C-M, RC-1, RC-2, RC-3, RC-4, and the Union Street Special Use District. The controls for these districts appear in Sections 707 through 714 of the proposed Article 7. See Chapter V.

Once the existing neighborhood commercial districts have been translated from the existing Code into the new zoning system it will be possible to change one or more controls for any one neighborhood commercial street without having to change controls for other streets. For example on Union Street the proliferation of certain types of commercial uses such as bars and restaurants has become particularly sensitive. However, on 24th Street in the Noe Valley the problem of eating and drinking establishments is accompanied by another problem, upper story commercial expansion. The proposed framework includes control categories which would accommodate regulation of each of these uses, individually, within the same system, and without necessitating overlay controls for each street. This is accomplished with the initiation of Article 7 and a standard set of control categories which would be applied consistently to each district.

24th-Street-Noe Valley, could be added as a separate district within the proposed framework. However, the mix of controls applied to that street would be different from the standard controls for C-1, C-2, CM, RC, and would be different from the controls for Union Street. Union Street would include thresholds for eating and drinking establishments and permit upper story commercial uses while for 24th Street-Noe Valley thresholds could be established for eating and drinking establishments and upper story commercial uses could be curtailed.

The proposed translation of existing neighborhood commercial controls for each district into Article 7 can be divided into three groupings:

1. Those controls which are simply translated from the existing Code into Article 7 because no changes have been proposed for the underlying zoning control category. Those corresponding zoning control categories are listed in Chapter I of this report (pg. 5) and the translation of controls for these categories detailed on the charts in Chapter V.
2. Those controls which cannot be simply translated from the existing Code into Article 7 due to the proposed updating and clarifying of certain existing zoning categories. The rationales for these proposed category modifications are discussed in Chapter I (pg. 6-14) and the translation of controls for these categories detailed on the charts in Chapter V.

3. Those controls which have been changed in their translation into Article 7. These proposed control changes reflect revised thinking about the identified uses and their regulation in the neighborhood commercial districts. However, they are, for the most part, minor and subtle differences which are primarily clarifications or improvements to the district controls. Those controls which have not been carried forward into the new framework are summarized below:

Existing Category	Existing C-1 Control/§ No.	Proposed Category Control/§ No.	Change Proposed
Hand Ironing Establishment	Not Permitted 220(b)	None	The existing category and control is eliminated in the updating process. This type of retail operation, as a principal use, is no longer found in San Francisco due to the technological advancements made in the laundering and cleaning industry over the past 20 years.
Retail Sales or Personal Service Establishment of which supplies new commodities or offers personal services to residents in the immediate vicinity	Permitted 218(c)	Retail Sales or Personal Services, Permitted 702.78	The "Retail Sales or Personal Service" section is retained however, the C-1 limitations are eliminated in the translation of the category into Article 7. The rationale is that the distinctions made in this section are vague and arbitrary. The discussion for category and control elimination is discussed on pg. 8 of Chapter 1.
Wireless Transmission Facility	Permitted 227(h)	Public Transp., or Wireless Transm. Facility, Conditional 702.97	In conjunction with the consolidation of two existing wireless transmission facility sections the applied control is revised from principal to conditional use, primarily a procedural change. The rationale for consolidation is discussed on pg. 13 of Chapter 1. This modification also affects C-2 and C-M controls.
Existing Category	Existing C-M Control/§ No.	Proposed Category Control/§ No.	Change Proposed
Mobile Home Park	Conditional 215(b)	None	The category and conditional use authorization is eliminated in the updating process.

Existing Category	Existing C-M Control/§ No.	Proposed Category Control/§ No.	Change Proposed
			The rationale is that the mobile home park is not a neighborhood commercial use and should be permitted in neighborhood commercial districts.
Amusement Park, Commercial Open Air Stadium, Carnival	Permitted 221(i-j)	None	The category and conditional use authorization is eliminated in the updating process. The rationale is that these uses are not a neighborhood oriented and should be permitted in neighborhood commercial districts.
Repair Garage for Minor and Major Repair	Minor, Permitted Major, Not Permitted 223(h-i)	Auto Repair, Conditional 702.55	In conjunction with the consolidation of two existing code sections the applied control for major engine repair has been revised first, from permitted to conditional use for minor repair and from not permitted to conditional for major repair. The rationale for this consolidation is discussed on pg. 11 of Chapter 1.
Dairy Products Distribution Plant Experimental Lab	Conditional 225(h) 226(f)	Wholesaling, Permitted 702.101	This category is consolidated in the translation of all existing wholesaling and manufacturing sections into one category. in conjunction with the consolidation the applied control has been revised from conditional to permitted, primarily a procedural change. The rationale for this consolidation is discussed on pg. 13 of Chapter 1.

Existing Category	Existing RC-1 Control/§ No.	Proposed Category Control/§ No.	Change Proposed
Hotel, up to 5 rooms	Permitted 209.2(d)	Hotel, Conditional 702.49	This category is consolidated in the translation of all existing hotel code sections into Article 7.

Existing Category	Existing RC-1 Control/§ No.	Proposed Category Control/§ No.	Change Proposed
			The proposed new zoning category titled "Hotel" includes all commercial tourist hotels, regardless of the number of rooms. In conjunction with this consolidation the applied control is revised from principal to conditional use, primarily a procedural change. The rationale for category consolidation is discussed on pg 9 of Chapter 1.
Group Housing, Medical and Educational	Conditional 209.2(c)	Permitted Group Housing 702.111	This category is consolidated in the translation of all group housing facilities into Article 7. The proposed new zoning category titled "Group housing" includes all hotels regardless of the number of the group type. In conjunction with this consolidation the applied control is revised from conditional to principal use, primarily a procedural change. The rationale for category consolidation is discussed on pg 14 of Chapter 1.

Existing Category	Existing Union St. Control/§ No.	Proposed Category Control/§ No.	Change Proposed
Linear Frontage	242.1	None	Linear frontage control has been eliminated in the consolidation and translation of Union Street controls into Article 7. The rationale is that the primary intent of the control, to regulate scale of development, is adequately addressed in the square footage per establishment control which is carried over into the framework.

CHAPTER IV. RECOMMENDED NEIGHBORHOOD COMMERCIAL ZONING PROCEDURES

In conjunction with the proposal to update, clarify, and reformat the existing controls into the new framework all zoning procedures relative to neighborhood commercial districts, including amendments (text and map changes) and conditional use review procedures, are proposed to be consolidated within the new Article 7. Currently zoning procedures for all neighborhood commercial districts are governed by Article 3, Section 302, Amendments and Section 303, Conditional Uses while Section 312, Special Use review procedures provides a modified conditional use review process for Union Street and certain other interim special use districts.

Text Amendments

In addition to the existing text amendment procedure set forth in Section 302, the proposed zoning system includes a new procedure for changing zoning controls in neighborhood commercial districts, Sections 707 - 714. This procedure would allow the CPC, the Board of Supervisors, any property owner, or established neighborhood group to file an application for a change in controls for any of the established neighborhood commercial districts. However, these zoning control text amendment applications would not become effective until action by the City Planning Commission or Board of Supervisors.

Map Amendments

The proposed system also includes a neighborhood commercial zoning map amendment (changes in the neighborhood commercial district boundaries) procedure. This process would allow the CPC, the Board of Supervisors, any property owner, or neighborhood group to file an application for a change in the boundaries of any established neighborhood commercial district classification.

The current amendment procedure for map reclassifications allows the same bodies to file any application, except for the established neighborhood group which is added. However, under the current procedure, the zoning map application, when filed for any neighborhood commercial district, becomes the effective zoning for that area, if it is more restrictive than the underlying zoning. Unlike this current process Article 7 proposes that the zoning map application, although accepted for filing, becomes effective only when the City Planning Commission or Board of Supervisors takes action.

This requirement would ensure that established neighborhood commercial district boundaries or controls would not change prior to proper public notification, hearing, and review of the zoning map application.

Neighborhood Commercial Conditional Use Review Procedure

Separate from the process of adopting and changing boundaries and controls is the ongoing process of permit review procedures. The proposed project recommends that existing conditional use review procedures be revised and translated into Article 7.

The existing conditional use designation triggers the conditional use review procedure for C-1, C-2, C-M, RC, and Union Street neighborhood commercial districts (Section 303). In addition, a special use designation is assigned for certain uses in the Union Street neighborhood commercial district which triggers the special use review procedure (Section 312).

However, in the translation of the Union Street special use authorization into Article 7 it is proposed that all special and conditional use authorizations be consolidated into the neighborhood commercial conditional use authorization (See Chapter 2, page 14). This neighborhood conditional use designation would trigger the proposed conditional use review procedure for all C-1, C-2, C-M, RC, and Union Street districts.

The proposed neighborhood commercial review procedure differs from both the existing conditional use and the special review procedures. The existing conditional use procedure provides a regularized means to accept and process permit applications. However, a considerable length of time is required to process, review, and determine a simple neighborhood commercial conditional use application, primarily because of the time required to calendar cases for the CPC hearing. In addition, the criteria and requirements set forth in Section 303 for conditional uses are not specific as to use. They apply to all conditional uses in all zoning classifications.

The Special Use District review process responds in part to the need for a modified zoning procedure as it provides for an abbreviated review process with determination being made by the Zoning Administrator, in certain instances. In addition, it establishes and codifies criteria to determine each special use by zoning category. However, the special use review process is limited, as it covers only certain commercial uses (i.e. bars and restaurants) in only one permanent neighborhood district, Union Street (and 10 interim special use districts).

The proposed neighborhood commercial conditional use review procedure provides for an initial review and recommendation of all conditional use applications by the Zoning Administrator. After review of the application the Zoning Administrator could recommend that the application for conditional use be approved, approved with conditions, or heard by the City Planning Commission without Zoning Administrator recommendation. Notice of the Zoning Administrator's recommendation for conditional use authorization shall be posted on the subject property, advertised in a newspaper, and mailed to property owners within 300 feet of the proposed use as well as groups and individuals requesting such notice. The City Planning Commission will review applications for conditional use authorization in neighborhood commercial districts at a public hearing. The conditional use review procedure appears, in full, in Chapter 4, Section 704.2 of the proposed Article 7.

This process is intended to facilitate the orderly processing of all conditional uses in neighborhood commercial districts through a streamlined review procedure which allows for efficient and thorough review of applications using approved criteria and requirements. The review process includes a list of standards for determination of conditional use applications designed specifically for evaluating proposed uses in neighborhood commercial districts. This list of standards appears in Section 704.3 of the proposed Article 7.

The proposed neighborhood conditional use review is a response to requests from the community, by both merchants and residents, to receive a prompt and early response to the routine conditional use applications and to know as soon as possible which would be more controversial. Potential businesspeople are interested in the length of time and the amount of money it will take before a decision can be made on a application while all neighborhood groups are concerned that they receive the opportunity for a public hearing as soon as possible.

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CHAPTER V.
PROPOSED ARTICLE 7

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Sec. 701.0 General Code Provisions Applicable to Neighborhood Commercial Districts

Sec. 701.1 Purpose of Neighborhood Commercial Districts

The following statements of purpose outline the main functions of the Neighborhood Commercial Districts shown on the Zoning Map of the City and County of San Francisco, supplementing the statements of purpose contained in Section 101 of this Code. The emphasis, in the case of these districts, is upon the allocation of adequate commercial areas in proper locations of the city for the carrying on of neighborhood-oriented businesses and services through a flexible system of controls which are tailored to the needs of each district.

- (a) These districts are intended to provide, maintain, strengthen, and promote viable neighborhood commercial districts, including:
- Promoting the multiple use of neighborhood commercial districts, giving priority to neighborhood-serving retail and service activities; while
 - Retaining adequate storefront space for a balanced mix of uses; and
 - Regulating the location, distribution, and proliferation of certain uses which compete with neighborhood-serving uses and threaten the balance of uses.
- (b) These districts are intended to maintain a complementary mix of residential and commercial uses traditional in neighborhood commercial districts, including:
- Ensuring compatability of neighborhood commercial uses with the surrounding residential community;
 - Preserving existing housing units and encouraging new residential development where feasible; and
 - Encouraging non-retail commercial uses, such as offices, which do not require ground floor window displays to locate upstairs, while maintaining a balance with residential units.

- (c) These districts are intended to protect the environmental quality in neighborhood commercial districts and promote a physical design which enhances the business climate, including:
- Preserving the existing scale of development;
 - Controlling nuisances associated with the proliferation of certain commercial uses;
 - Encouraging a "transit first" policy; and
 - Retaining and enhancing aesthetic character of neighborhood commercial districts.

Sec. 702.0 Definitions

For the purpose of this Article, certain controls, words and terms used herein are defined and set forth below.

- Sec. 702.1 Building Envelope, is defined as the standards regulating building dimensions, areas, parking, use size and density.
- Sec. 702.2 Rear Yard, is defined as the rear portion of a building lot. It is further defined and regulated in Sections 130 and 134 of this Code.
- Sec. 702.3 Open Space, is defined as any front set backs, side or rear yards, courts, usable open space or other open area provided in order to meet the requirements of this Code. It is further defined and regulated in Sec. 135 of this Code.
- Sec. 702.4 Residential Off-Street Parking, is defined as the minimum number of off-street parking spaces required for each new residential unit (see Section 153, rules for calculation of required spaces).
- Sec. 702.5 Commercial Off-Street Parking, is defined as the minimum number of off-street parking spaces required for new commercial space. It is further defined and regulated in Sections 150, 153, 154 and 155 of this Code.
- Sec. 702.6 Institutional Off-Street Parking, is defined as the minimum number of off-street parking spaces required for new institutional space. It is further defined and regulated in Sections 150, 153, 154 and 155 of this Code.
- Sec. 702.7 Off-Street Freight Loading, is defined as the minimum number of off-street freight loading spaces required for new commercial, manufacturing and residential uses. It is further defined and regulated in Sections 150, 153, 154 and 155 of this Code.
- Sec. 702.8 Floor Area Ratio, is the ratio of gross floor area of all floors of a building or buildings on a lot to the area of the lot. It is further defined in Section 102.10 of this Code.
- Sec. 702.9 Height, is defined as the maximum vertical distance by which a building or structure rises above a certain point of measurement. It is further defined in Sections 102.11 and 260 of this Code.
- Sec. 702.10 Dwelling Unit Density, is defined as the number of dwelling units in relation to the square footage of the lot.
- Sec. 702.11 Square Footage per Establishment, is defined as the total occupied floor area devoted to an individual commercial use. In the case of multiple uses sharing a single lot, common circulation space such as corridors, stairs, and elevators shall not be included in the floor area.

- Sec.702.12 Drive-Up Facility, is defined as a drive-up or auto-oriented facility designed primarily for drive-to or drive-through trade, and which provides take-out service as a large proportion of the business and caters to patrons arriving by private motor vehicles.
- Sec. 702.13 Outdoor Activity, is defined as an activity including but not limited to sitting, eating, drinking, dancing, food preparation, parking, and the storage of food, supplies, garbage or other materials if conducted outside of a building or in a courtyard.
- Sec. 702.14 Accessory Parking and Loading, is defined as non-residential off-street parking and loading which is not required under Article 1.5 of this Code. It is located on the same lot and are used by the occupants, patrons, employees or services of the structure or use to which it is accessory.
- Sec. 702.19 General Characteristics, is defined as the standards regulating the general character of buildings and sites.
- Sec. 702.20 Street Trees, is defined as trees to be installed by the owner or developer of a new, relocated or expanded building, in accordance with the provisions of Section 143 of this Code.
- Sec. 702.21 General Advertising Sign, is defined as a sign which directs attention to a business, commodity, industry or other activity which is sold, offered or conducted elsewhere than on the premises upon which such sign is located, or to which it is affixed, and which is sold, offered or conducted on such premises only incidentally if at all.
- Sec. 702.22 Projecting Business Sign, is defined as any sign which extends beyond the property line or a building setback line, which directs attention to a business, commodity, service, industry or other activity which is sold, offered or conducted, other than incidentally, on the same premises at which such sign is located, or to which it is affixed. It is further defined in Sections 602.3 and 602.14 of this Code.
- Sec. 702.23 Awning, is defined as a light roof-like covering supported entirely by the building and used for protection from sun and rain.
- Sec. 702.30 Story, is defined as that portion of a building, including a mezzanine as defined in the Building Code, included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the surface of the floor and the ceiling next above it.

- Sec. 702.31 Ground Story and Below - is defined as: 1) the ground story, or that portion of a building, including the mezzanine as defined in the Building Code, located at the lowest level other than a basement or cellar; and 2) levels below the ground story including but not limited to a basement or cellar. A basement is defined as any portion of a building having a floor partly below ground level and not more than 2 feet below the level of the ground elevation, and having a ceiling no part of which is less than 7 feet above the ground elevation. A cellar is defined as any portion of a building with a floor any part of which is more than 2 feet below ground elevation. The basement and cellar is further defined in the Building Code.
- Sec. 702.32 Second Story, is defined as that portion of a building included between the surface of the floor directly above the ground story and the surface of the next floor above it, including the mezzanine as defined in the Building Code, or if there is no floor above it, then the space between the surface of the floor and the ceiling above it.
- Sec. 702.33 Third Story and Above, is defined as that portion of a building included between the surface of the floor directly above the second story and the ceiling of the topmost story.
- Sec. 702.38 Permitted Uses, are defined as the use authorizations described in Section 703, which are applied to specific use categories on specific stories.
- Sec. 702.39 Retail Sales and Personal Services is defined as uses which involve the sale of commodities, goods or services directly to the ultimate consumer.
- Sec. 702.40 Bar, is defined as any retail drinking establishment which sells alcoholic beverages for on-premises consumption, with one of the following on-sale public premises Alcoholic Beverage Control licenses:
- On-sale beer license (public premises) (#61),
 - On-sale beer and wine license (public premises) (#42),
 - On-sale general license (public premises) (#48).
- Sec. 702.42 Full Service Restaurant, is defined as an eating or eating and drinking establishment which serves prepared, ready-to-eat cooked foods for consumption on the premises, with a Health Department F-03 permit and with or without one of the following Alcoholic Beverage Control licenses:
- Off-sale beer and wine license (#20),
 - Off-sale general license (#21),
 - On-sale beer license (#40),
 - On-sale beer and wine license (#41),
 - On-sale general license (#47).

- Sec. 702.42 Self-Service Restaurant, is defined as an eating or eating and drinking establishment which sells prepared, ready-to-eat cooked foods for consumption on or off the premises, does not provide customers with table service but does provide some tables and chairs, with a Health Department F-03 or F-01 permit and with or without one of the following Alcoholic Beverage Control licenses:
- Off-sale beer and wine license (#20),
 - Off-sale general license (#21),
 - On-sale beer license (#40),
 - On-sale beer and wine license (#41),
 - On-sale general license (#47).
- Sec. 702.43 Take-Out Food Establishment, is defined as a retail food establishment which sells prepared, ready-to-eat cooked foods for consumption off the premises, with a Health Department F-03 permit, and with or without one of the following Alcoholic Beverage Control licenses:
- Off-sale beer and wine license (#20),
 - Off-sale general license (#21).
- Sec. 702.44 Liquor Store, is defined as a retail establishment which principally sells alcoholic beverages for consumption off the premises, and a retail grocery store which devotes more than 25% of its occupied floor area to the display and sale of alcholic beverages for off-premises consumption, with one of the following Alcoholic Beverage Control licenses:
- Off-sale beer and wine license (#20),
 - Off-sale general licenses (#21).
- Sec. 702.45 Cabaret, is defined as any establishment for which a police permit is granted to which patrons or members are admitted between the hours of 2:00 a.m. and 6:00 a.m., and where food, beverages or food and beverages are served for consumption on the premises.
- Sec. 702.46 Movie Theater, is defined as a building or part of a building used for displaying motion pictures, slides, or closed circuit television pictures before an individual or assemblage of persons, whether such assemblage be of a public, restricted, or private nature; except a home, private dwelling, or place in which no fee by way of admission charge is required.
- Sec. 702.47 Amusement Enterprise, is defined as the following uses, when conducted within a completely enclosed building, no portion of which has any opening other than fixed windows and exits required by law, within fifty feet of any residential (R) district and in which noise is reasonably confined by adequate soundproofing or other device:

- i) Place of entertainment or any establishment to which patrons or members are admitted which serves food and/or beverages for consumption on the premises, and wherein any live entertainment is furnished or occurs on the premises. Live entertainment includes dramatic and musical performances conducted or participated in by any professional or amateur entertainer including but not limited to those defined in Sec. 1060 of the Police Code.
- ii) Dance hall, or any building or place in which any gathering of persons in or upon any premises, other than a private home or residence or a class in which instruction in dancing is given for hire, where dancing is participated in.
- iii) Billiard parlor.
- iv) Amusement game hall, or place for video games, pinball machines, pool tables or other such similar mechanical and electronic amusement devices, as regulated in Sec. 1036 of the Police Code.
- vi) Commercial public recreation building.

- Sec. 702.48 Adult Entertainment Facility, is defined as an adult bookstore or adult theater (as defined by Section 791 of the Police Code) or an encounter studio (as defined by Section 1072.1 in the Police Code), which is not less than 1,000 ft. from any other adult entertainment facility.
- Sec. 702.49 Hotel, is defined as a building where overnight lodging is offered to the public for compensation, primarily for the accommodation of visitors rather than permanent city residents. It includes an inn, hostel, or bed-and-breakfast establishment.
- Sec. 702.50 Motel, is defined as a building or set of buildings where overnight lodging is offered for compensation, primarily for visitors, rather than permanent city residents, who are traveling principally by automobile; and where each sleeping unit requires a parking space (as specified in Sec. 151 of this Code) and is independently accessible from the outside, rather than from a central lobby or reception area.
- Sec. 702.51 Animal Clinic or Hospital, is defined as a facility providing animal care and services with overnight accommodations within an enclosed building having no openings other than fixed windows or exits required by law.
- Sec. 702.52 Commercial Kennel or Stable, is defined as a retail establishment where animals are boarded or trained for hire or for sale, located no less than 200 feet from any residential (R) district.
- Sec. 702.53 Automobile Service Station, Gas Only, is defined as a retail automotive service facility for the sale and dispensing of gasoline directly into motor vehicles with no service bay on site.

- Sec. 702.54 Automobile Service Station, Gas with Minor Auto Repair, is defined as a retail automotive service facility where the principal activity is the sale and dispensing of motor fuels and lubricating oils directly into motor vehicles and which may include the following activities, services, adjustments, and repairs if they are conducted entirely within no more than three enclosed service bays and if there are no openings other than fixed windows or exits required by law within fifty feet of residential (R) district:
- (i) Sale and dispensing of greases and brake fluids, including motor vehicle lubrication, and the sale of tires, batteries, and other accessories;
 - (ii) Tuneups, including the repair or replacement of distributors, spark plugs, and carburetors; shock absorber replacement; muffler exchange, with no open flame or torch;
 - (iii) Servicing and repairing of tires, wheel balancing and alignment, wheel bearing and seals replacement, the installation and servicing of smog devices, and replacement of universal joints;
 - (iv) Clutch adjustments; and
 - (v) Repair or replacement of water pumps, generators, alternators, voltage regulators, starters, fuel pumps, and any such other repairs as may be designated by the Chief of the San Francisco Fire Department under Paragraph 8.09(a)(5)(o) of the Fire Code; and
 - (vi) Auto washing and polishing of an incidental nature, not including the use of any mechanical conveyor, blower, or steam cleaning device.
- Sec. 702.55 Automobile Repair Facility - Mechanical and Auto Body Repair, is defined as a retail automotive service facility within an enclosed building having no openings other than fixed windows or exits required by law within 50 feet of any residential district, in which the following major automobile repairs in addition to those listed in 702.44, are permitted: engine repair, rebuilding, exchange, or replacement; repair, rebuilding, or installation of power train components; reconditioning of badly worn or damaged motor vehicles; collision service; and full body paint spraying.
- Sec. 702.56 Automobile Wash, is defined as an automobile wash facility which confines sound to the premises by reasonable soundproofing and which provides on the premises a reservoir of vehicle storage and standing area outside the washing facilities, including the use of a mechanical conveyor, blower or steam cleaning device.

- Sec. 702.57 Tire Recapping Facility, is defined as a retail establishment not less than 200 feet from any residential (R) district where tire recapping, retreading and repairing services are provided.
- Sec. 702.58 Sale or Rental of New or Used Vehicles, is defined as a retail establishment selling or renting new or used motor vehicles, excluding automobile trailers, entirely within an enclosed building.
- Sec. 702.59 Lot for Sale or Rental of New or Used Vehicles, is defined as a retail establishment selling or renting new or used motor vehicles, including automobile trailers, wholly or partially in an open area.
- Sec. 702.60 Community Residential Garage, is defined as a garage confined to the storage of private passenger automobiles of residents of the immediate vicinity, and meeting the requirements of Article 1.5 of this Code.
- Sec. 702.61 Parking Garage or Lot, is defined as a storage garage or lot open to the public for private automobiles (as regulated in Sections 155, 156, 157 and other provisions of Article 1.5 of this Code), or a non-accessory parking garage not open to the public for passenger vehicles (as regulated in Article 1.5 of this Code).
- Sec. 702.62 Commercial Vehicle Storage Garage or Yard, is defined as a storage garage or yard for commercial vehicles and light delivery trucks. A storage yard for such vehicles is completely enclosed by a wall or concealing fence not less than 6 feet high.
- Sec. 702.63 Parcel Delivery Service, is defined as a retail service establishment which unloads, sorts, and reloads local retail merchandise for home deliveries, excluding garage and repair facilities.
- Sec. 702.64 Automatic Laundering and Off-Site Dry Cleaning Establishment. Automatic laundering is defined as a coin-operated retail service establishment providing customers with the facilities to wash and/or dry items, and as further defined in the Health Code. An off-site dry cleaning establishment is defined as a retail establishment which accepts items for dry cleaning at some other location.
- Sec. 702.65 On-Site Dry Cleaning Establishment, is defined as a retail service establishment which accepts clothes for dry cleaning, including pressing and other miscellaneous processing of clothes on the premises, where no portion of the building has any ventilating flue, exhaust pipe or other opening except fixed windows and exits required by law within fifty feet of any lot in an residential (R) district.

- Sec. 702.66 Trade Shop, is defined as an establishment where an artisan operates a custom trade and deals directly with the consumer, reserving some storefront including windowspace for display and retail service, if conducted within an enclosed building having no openings other than fixed windows or exits required by law within fifty feet of any residential (R) district. It includes an appliance repair, upholstery, sign painting, carpentry, printing, blueprinting and catering shop.
- Sec. 702.78 Other Retail Sales and Personal Services, is defined as an establishment, not otherwise identified in Sections 702.30 to 702.55 of this Code, which provides for the sale of commodities or goods directly to the consumer, reserving some storefront including windowspace for display, or which offers personal care services to a walk-in trade in addition to by appointment.
- Sec. 702.79 Offices, is defined as non-retail uses which involve transactions and provision of financial, medical or business services, or the operation of service organizations.
- Sec. 702.80 Financial Office, is defined as any bank, savings institution, loan company, savings and loan institution, thrift plan, credit union, or any establishment for the custody, loan, exchange, or issue of money, for the extension of credit, or for facilitating the transfer of funds; or any financial office as further defined in the United States Code or the California Financial Code.
- Sec. 702.81 Other Office, is defined as any non-retail or non-personal commercial establishment, not otherwise identified in Sec. 702 of this Code, where a particular kind of business is transacted, a medical or business service service is supplied, or a service organization operates.
- Sec. 702.89 Miscellaneous Other Uses
- Sec. 702.90 Assembly Facility, is defined as a facility used for the gathering of persons for social, fraternal or recreational purposes. It includes a private non-commercial club house, lodge, meeting hall, recreation building, community facility not publicly owned, open recreation area or non-commercial horticulture area.
- Sec. 702.91 Greenhouse or Plant Nursery, is defined as an establishment where outdoor plants (trees or shrubs) are grown for sale.
- Sec. 702.92 Truck Gardening, is defined as a farm devoted to the wholesale production of vegetables for the market.
- Sec. 702.93 Ambulance Service, is defined as a service which transports patients to facilities for medical treatment.

- Sec. 702.94 Mortuary Establishment, is defined as an establishment with facilities for the preparation of the dead for burial or cremation, for the viewing of the body, and for funerals.
- Sec. 702.95 Public Structure, is defined as a governmental building which conforms to the Master Plan.
- Sec. 704.96 Utility Installation, is defined as a utility structure or public service facility, excluding service yards.
- Sec. 704.97 Public Transportation Facility, or Wireless Transmission Facility. A public transportation facility is defined as a a public or privately owned or operated facility used to house the operations of public transportation, which conforms to the Master Plan. A commercial wireless transmitting, receiving or relay facility is defined to include towers, antennae and related equipment for the transmission, reception or relay of radio, television or other electronic signals.
- Sec. 702.98 Planned Unit Development, is defined as a large comprehensive and integrated project, planned and developed in accordance with Section 304 of this Code. The project may warrant modifications in other applicable Code provisions.
- Sec. 702.99 Wholesaling and Manufacturing, is defined as uses involving household storage, wholesale operations and manufacturing of goods.
- Sec. 702.100 Household Storage, is defined as a retail service which stores household goods.
- Sec. 702.101 Wholesaling, Light Manufacturing, or Food Processing Establishment, is defined to include:
- i) Wholesale establishment or wholesale storage warehouse, except for storage of inflammables, when conducted within an enclosed building;
 - ii) Contractors storage facility, when conducted within an enclosed building;
 - iii) Dairy products distribution plant, where provision is made for off-street parking of all vehicles used, and all operations including loading and unloading are conducted entirely within an enclosed building;
 - iv) Lot for sale of new or used merchandise (excluding storage of junk, second-hand or salvaged materials, lumber yard, contractor's storage yard, automobile wrecking operation) and service yard for public utility, if conducted entirely within an area completely enclosed by a wall or concealing fence not less than six feet high;

- v) Light manufacturing uses occupying no more than 1/2 the ground story and involving no machine with more than five horsepower capacity;
- vi) Light food processing for delicatessen, catering or restaurant supply, if conducted entirely within an enclosed building; provided, that no part of a building so occupied shall have any opening, other than fixed windows or exits required by law, within twenty feet of any R district;
- vii) Industrial or chemical research or testing laboratory, not involving any danger of explosions, or experimental laboratory;
- viii) Battery manufacture, if conducted on premises not less than 200 feet from any R district; and
- ix) Live storage, killing or dressing of poultry or rabbits for retail sale on the premises, if conducted on premises at least 200 feet from any R district.

Sec. 702.109 Housing, is defined as residences for permanent city residents.

Sec. 702.110 Dwelling Unit, is defined as a room or suite of two or more rooms which is designed for, or is occupied by, one family with facilities for living, sleeping, bathing, cooking and eating and having only one kitchen.

Sec. 702.111 Group Housing, is defined as a use which provides lodging without individual cooking facilities by pre-arrangement for a week or more at a time in a space not defined as a dwelling unit, primarily for the accommodation of a permanent resident. Group housing includes but is not limited to a boarding house, guest house, rooming house, lodging house, residence club, commune, fraternity and sorority house, monastery, nunnery, convent and ashram. It also includes group housing operated by a medical or educational institution when not located on the same lot as such institution. The density limitations for group housing are defined and regulated in Section 208 of this Code.

Sec. 702.119 Institutions, is defined as uses involved with the provision of health, child care, educational and other public or charitable services.

Sec. 702.120 Hospital or Medical Center, is defined as a medical institution which includes facilities for in-patient care and may also include medical offices, clinics, laboratories, and employee or student dormitories on the same premises, operated by and affiliated with the institution.

- Sec. 702.121 Clinic-Outpatient Facility, is defined as a medical facility which primarily provides outpatient care in medical, psychiatric, or other healing arts and not a part of a medical institution, which is specified in Section 702.120 of this Code.
- Sec. 702.122 Residential Care Facility, with up to 6 persons, is defined as a medical facility which provides lodging, board, and care for a period of 24 hours or more to 6 or fewer persons in need of specialized aid by personnel licensed by the State of California. Such facility displays nothing which gives an outward indication of the nature of the occupancy except for a sign as permitted by Article 6 of this Code, does not provide outpatient services and is located in a structure which remains residential in character.
- Sec. 702.123 Residential Care Facility, with more than 6 persons, is defined as such facility meeting all applicable requirements of Section 702.122 but providing lodging, board and care to seven or more persons.
- Sec. 702.124 Child-Care Facility, with up to 12 children, is defined as a school which provides less than 24-hour care for 12 or fewer children by licensed personnel and meeting the open space requirements of the State of California and other authorities.
- Sec. 702.125 Child-Care Facility, with more than 12 children, is defined as a facility which provides less than 24-hour care for 13 or more children by licensed personnel and meeting the open space requirements of the State of California and other authorities.
- Sec. 702.126 Elementary School, Secondary and Post-Secondary School, is defined to include either a public or private institution for learning. It may include, on the same premises, employee or student dormitories and other housing operated by and affiliated with the institution.
- Sec. 702.127 Industrial Arts School, is defined as a secondary or post-secondary educational institution which has industrial arts as its primary course of study.
- Sec. 702.128 Church and Philanthropic Facility. A church is defined as an organization which conducts collective religious worship or ritual or observance of common religious beliefs on the premises. It has a tax exempt status as a religious institution granted by the United States Government. It may include on the same lot, the housing of persons who engage in supportive activity for the institution. A philanthropic facility is defined as an organization distributing or supported by philanthropic funds.

Sec. 703.0 Permitted Uses in Neighborhood Commercial Districts

Sec. 703.1 Uses Permitted By This Article

(a) The use provisions of this Code shall be as set forth in this Article 7 for the neighborhood commercial districts of the city, as established by Section 701 of this Code, and shown on the Zoning Map referred to in Section 105 of this Code, subject to the provisions of Section 105. Except as specifically provided herein to the contrary, the provisions of this Article 7 shall apply to all uses, properties and developments, both public and private, including those of the City and County of San Francisco, in neighborhood commercial districts. The uses permitted by this Article shall consist of the following:

1. Principal uses, permitted as of right in each established district where listed for that district or class of districts in this Article 7 as regulated herein and elsewhere in this Code.
2. Conditional uses, permitted in each established district when authorized by the City Planning Commission under Section 303 and 704 of this Code, where listed for that district or class of districts in this Article 7 and as regulated herein and elsewhere in this Code.
3. Accessory uses for such permitted principal and conditional uses as defined and regulated in Sections 204 and 204.5 of this Code. Any use not qualified under such sections as an accessory use shall be classified as a principal or conditional use. No use shall be permitted as an accessory use to a lawful principal or conditional use in any neighborhood commercial district which involves or requires any of the following:
 - (i) The production of goods not intended primarily for retail sale on the premises.
 - (ii) Outdoor activity areas.
 - (iii) The use of more than 25% of total floor area by that use which is accessory, except in the case of accessory off-street parking and loading.
 - (iv) The use of any single machine of more than 1.5 horsepower or an aggregate of more than 3.0 horsepower.
 - (v) The use of a dwelling unit, permitted only as a dwelling unit, for the conduct of a business office open to the public.
 - (vi) The use of a dwelling unit, permitted only as a

dwelling unit, for the maintenance of a stock in trade, use of show windows or window displays or advertising to attract customers or clients.

- (b) Such uses not specifically listed in this Article 7 are not permitted unless determined by the Zoning Administrator to be permitted uses in accordance with Section 307(a) of this Code.
- (c) No use shall be permitted in any neighborhood commercial district which by reason of its nature or manner of operation creates conditions that are hazardous, noxious or offensive through the emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise.
- (d) All permitted uses, and all storage, servicing, fabricating, processing or repair uses accessory thereto, shall be conducted within enclosed buildings with the exceptions of those uses which by virtue of their definition of operation require outdoor activity.

Sec. 703.2 Compliance of Uses

(a) Nonconforming Uses and Noncomplying Structures in Neighborhood Commercial Districts

Notwithstanding any other provisions of this Code, nonconforming uses and nonconforming structures may be continued, except as otherwise regulated in Sections 180 through 189 and subject to the limitations of Article 1.7.

A nonconforming use is a use which existed lawfully at the effective date of this Code, and which fails to conform to one or more of the use limitations under Articles 6 and 7 of this Code, that then became applicable for the district in which the property is located.

A noncomplying structure is a structure which existed lawfully at the effective date of this Code, and which fails to comply with one or more of the regulations for structures, including requirements for off-street parking and loading, under Articles 1.2, 1.5, 2.5, 6 and 7 of this Code, that then became applicable to the property on which the structure is located.

(b) Nonconforming Uses in Residential Districts Adjacent to Neighborhood Commercial Districts

Nonconforming uses shall be regulated based on the nearest neighborhood commercial district control as to permitted maximum building envelope, general characteristics, type, and location of uses. Changes in use cannot be to a use less restrictive than detailed in Section 186 but may be more restrictive. Method of Measurement; if equidistant the more restrictive use district applies.

(c) Automatic Conditional Uses

Where a use or feature identified as a conditional use in the district in which it is located lawfully exists at the effective date of this Code, such use or feature shall be recognized as a permitted conditional use in the form in which it exists on such date, without further authorization except as further provided in Article 7.

Sec. 704.0 Zoning Procedures in Neighborhood Commercial Districts

Provisions of Article 3 apply to all neighborhood commercial districts established in Section 703, except as set forth below in Sections 704.1, Amendments to the Code, 704.2, Conditional Uses, and 704.3, Criteria for Approval of Conditional Uses, and 704.4, Applications and Hearings.

Sec. 704.1 Amendments to the Neighborhood Commercial District Code

Notwithstanding the requirements set forth in Section 302 for Amendments to the Code, the following modifications in conditions for changes in the zoning controls and changes in the Zoning Map shall apply to neighborhood commercial districts:

(a) Initiation

An amendment to make a change in the zoning controls or the Zoning Map for neighborhood commercial districts, Sections 707 - 714, may be initiated by the Board of Supervisors, by a resolution of intention by the City Planning Commission, or by application of one or more interested property owners, their authorized agents, or an established neighborhood organization.

An interested property owner is defined, for the purposes of this section, as an owner of real property that is either within the area included in the application or within a distance of 300 feet of the exterior boundaries of such area, or at a greater distance therefrom where such property might be influenced by development currently permitted by the Code within the area.

An established neighborhood organization is defined, for the purposes of this section, as a neighborhood group on file with the Department of City Planning to receive notification and information regarding neighborhood commercial matters.

(b) Effect of Proposed Zoning Control Changes, and Reclassifications, for Sections 707-714, Upon Permit Applications

No application filed for zoning control changes, Sections 707-714, or reclassifications of property in neighborhood commercial districts shall be effective until public review and action by the City Planning Commission or Board of Supervisors on such application.

Sec. 704.2 Conditional Uses in Neighborhood Commercial Districts

(a) Purpose

The procedure set forth herein is intended to facilitate the orderly processing of applications for conditional uses in neighborhood commercial districts through a streamlined review procedure which allows for efficient and thorough review of applications using criteria and requirements designed to insure fairness to each applicant and adequate and reasonable regulation of commercial development.

(b) Initiation of Application for Conditional Use

An application for a conditional use authorization may be filed by the owner of the property for which the conditional use is sought, or authorized agent for the owner.

(c) Recommendation of the Zoning Administrator on a Conditional Use Application

After review of the application, the Zoning Administrator shall recommend that the application be either approved, approved with conditions, or shall recommend that it be heard by the City Planning Commission without Zoning Administrator recommendation.

(d) Notice of Recommendation by the Zoning Administrator

Notice of the Zoning Administrator's recommendation for approval, approval with conditions, or disapproval of an application for conditional use authorization shall be posted on the subject property, advertised in a newspaper of general circulation, and mailed to property owners within 300 feet of the proposed use as well as groups and individuals requesting such notice, at least 15 days prior to the scheduled date of appearance of the item on the City Planning Commission calendar.

(e) Review and Determination by the City Planning Commission

The City Planning Commission shall review applications for conditional use authorization in neighborhood commercial districts at a public hearing following procedures set forth in Section 303 and 704.3 of the Code for Conditional Use.

Sec. 704.3 Standards for Determination of Conditional Use Applications

- (a) Neighborhood commercial conditional use applications may be approved or approved with conditions, if and only if the facts presented establish that the proposed use meets the citywide conditional use standards for determination of all conditional uses set out in Section 303(c) of this Code and restated below:
 - 1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
 - 2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity with respect to aspects including but not limited to the following:
 - (A) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - (B) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
 - (C) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - (D) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
 - 3. That such use or feature as proposed will comply with the applicable provisions of the Code and will not adversely affect the Master Plan; and
- (b) In determining whether the proposed use meets the standards set forth in Section 703.3, 303(c), and 704.3, the City Planning Commission shall consider the extent to which the proposed use conforms to the following guidelines and shall make positive findings only if the proposed use is in substantial conformity with the guidelines.

1. Guidelines for All Conditional Uses in Neighborhood Commercial Districts

- (A) The proposed use should not disrupt pedestrian movement or the continuity of retail uses along the street;
- (B) The proposed use should not disrupt the balance and variety of retail and personal services by adding to a concentration of uses in any given block within a neighborhood shopping district;
- (C) The proposed use should not disrupt the residential tranquility of a primarily daytime oriented neighborhood commercial district by creating late night activity, incoming visitors, traffic, noise, and congestion. The proposed use should confine its hours of operation to reasonable business hours, primarily between the hours of 9:00 AM and 10:00 PM;
- (D) The proposed use should take all precautions to properly soundproof and regulate noise associated with that use.

2. Guidelines for Square Footage per Establishment

- (A) The proposed new use should provide a necessary retail or personal service to the surrounding community, not attracting the major part of its clientele from beyond the neighborhood district in which it is located;
- (B) The proposed layout and design should be in scale and character with the existing neighborhood commercial district, particularly with respect to directly abutting uses and those in the immediate block.

3. Guidelines for Drive-Up Uses

- (A) The proposed use should not create additional auto traffic through areas of heavy pedestrian concentration;
- (B) The proposed use should not conflict with existing or future patterns of public transportation and access and should avoid use of transit preferential streets;
- (C) The proposed use and operating policy of the facility should be such that vehicles can be admitted rapidly, to avoid the use of the street as a waiting area for entrance into the facility and to avoid the situation of automobiles idling for a long period of time.

4. Guidelines for Outdoor Activity

- (A) The proposed use should not impinge on adjacent residential dwellings and should use architectural structures, walls, fences, other landforms or landscaping to assure that noise, odor, light or visual distraction is retained as much as possible within the use.

5. Guidelines for Upper Story Commercial Use

- (A) The proposed use should not displace existing residential units unless the use provides a necessary and desirable neighborhood service which if located on the ground floor would disrupt the continuity of retail uses along the street and which could not locate elsewhere in the district without displacing a housing unit;
- (B) The proposed use should retain any existing kitchen facilities and floor plan to facilitate reconversion to residential use;
- (C) If the proposed use involves new construction the project should include dwelling units on another story.

6. Guidelines for Bars

- (A) The proposed bar should not add to a concentration of bars in any given block within a neighborhood commercial district and as a general rule should not be located within 300 feet of another bar.
- (B) The proposed use should not involve a dance hall or place of entertainment.

7. Guidelines for Full-Service Restaurants

- (A) The proposed full-service restaurant should not add to a concentration of restaurants in any given block within a neighborhood commercial district and as a general rule should not be located within 100 feet of another full-service or self-service restaurant;
- (C) The proposed use should not involve a dance hall or place of entertainment.

8. Guidelines for Self-Service Restaurants

- (A) The proposed restaurant should not add to a concentration of restaurants in any given block within a neighborhood commercial district and as a general rule should not be located within 100 feet of another self-service or full-service restaurant;
- (B) The proposed use should not involve a dance hall or place of entertainment.

9. Guidelines for Take-Out Food Establishments

- (A) The proposed take-out food establishment should not add to a concentration such uses in any given block within a neighborhood commercial district and as a general rule should not be located within 300 feet of another take-out food establishment.

10. Guidelines for Liquor Stores

- (A) The proposed use should not add to a concentration of such uses in any given block and as a general rule should not be located within 300 feet of another liquor store.

11. Guidelines for Cabarets

- (A) The proposed use should not engage in the retail sale of alcohol for consumption on premises;
- (B) The proposed use should not involve a dance hall or place of entertainment.

12. Guidelines for Financial Offices

- (A) The proposed use should not add to a concentration of such uses in any given block of the neighborhood commercial district unless it provides a necessary and desirable full financial service to the commercial and residential community;
- (B) The proposed use should conform to the guidelines for financial offices adopted by the City Planning Commission.

Sec. 704.4 Hearings and Applications

(a) Applications and Filing Fees

Notwithstanding the standards set forth in Section 306.1 of the Code, the following fees shall be set for applications to make changes in Article 7:

1. For each application for a text amendment to change controls in Sections 707-714, the fee shall be \$250.00.

(b) Scheduling of Hearings

Notwithstanding the standards set forth in Section 306.2 of the Code, the following conditions shall be adhered to for hearings in neighborhood commercial districts:

1. The Zoning Administrator shall review and make a recommendation on conditional uses, as set forth in Section 704.2 and 303(c) of this Code, within 30 days from the date upon which the application is filed and adjudged complete or ten days after completion of environmental evaluation whichever is later.

Sec. 705.0 Neighborhood Commercial District Descriptions

The following statements of description and purpose outline the main functions of the neighborhood commercial districts in the zoning plan of San Francisco, supplementing the statements of purpose contained in Section 701 of this Code.

The specific controls applicable to each neighborhood commercial district are set forth in Sections 707 - 717. In addition each district is subject to the general controls contained in Section 703 and in the other Code sections referred to in section 705 of this Article. The boundaries of the various neighborhood commercial districts are shown on the zoning map referred to in Section 105 of this Code subject to the provisions of Section 105.

Sec. 705.7 C-1 Districts: Neighborhood Shopping. These districts are intended for the supplying of retail goods and personal services at convenient locations to meet the frequent and recurring needs of nearby residents. These districts are usually surrounded by residential areas of relatively low density of development, often in outlying areas of the city, and the size and use of commercial buildings in these districts are intended to be consistent with those residential densities. Close concentration of complementary commercial uses are encouraged, with minimum interruption by open uses and non-retail enterprises.

Sec. 705.8 C-2 Districts: Community Business. These districts serve several functions. On a larger scale than the C-1 districts, they provide convenience goods and services to residential areas of the city, both in outlying sections and in closer-in, more densely built communities. In addition, some C-2 districts provide comparison shopping goods and services on a general or specialized basis to a city-wide or regional market area, complementing the main area for such types of trade in downtown San Francisco. The extent of these districts varies from smaller clusters of stores to larger concentrated areas, including both shopping centers and strip developments along major thoroughfares, and in each case the character and intensity of the commercial development are intended to be consistent with the character of uses in the adjacent areas. As in C-1 districts, the emphasis is upon compatible retail uses, but a wider variety of goods and services is included to suit the longer term needs of customers and a greater latitude is given for the provision of automobile-oriented uses.

- Sec. 705.9 C-M Districts: Heavy Commercial. These districts provide a limited supply of land for certain heavy commercial uses not permitted in other commercial districts. There is an emphasis upon wholesaling and business services, and some light manufacturing and processing are also permitted though limited in most cases to less than an entire building. In recognition of the potentially adverse effects of these heavy uses and the proximity of these districts to residential and other commercial areas, standards are imposed as to enclosure within buildings and screening of outdoor uses.
- Sec. 705.10 RC-1 Districts: Residential-Commercial Combined, Low Density. These districts provide for a mixture of low-density dwellings similar to those in RM-1 districts with certain commercial uses of a very limited nature. The commercial uses are those permitted in C-1 districts, located in or below the ground story only and designed primarily for walk-in trade to meet the frequent and recurring needs of nearby residents. Open spaces are required for dwellings in the same manner as in RM-1 districts, except that rear yards are somewhat smaller and front set-back areas are not required.
- Sec. 705.11 RC-2 Districts: Residential-Commercial Combined, Moderate Density. These districts provide for a mixture of moderate density dwellings similar to those in RM-2 districts with supporting commercial uses. The commercial uses are those permitted in C-2 districts, located in or below the ground story in most instances, and excluding automobile oriented establishments. Open spaces are required for dwellings in the same manner as RM-2 districts, except that rear yards are somewhat smaller and need not be at ground level, and front set-back areas are not required.
- Sec. 705.12 RC-3 Districts: Residential-Commercial Combined, Medium Density. These districts provide for a mixture of medium-density dwellings similar to those in RM-3 districts with supporting commercial uses. The commercial uses are those permitted in C-2 districts, located in or below the ground story in most instances, and excluding automobile oriented establishments. Open spaces are required for dwellings in the same manner as in RM-3 districts, except that rear yards need not be at ground level and front set-backs are not required.
- Sec. 705.13 RC-4 Districts: Residential-Commercial Combined, High Density. These districts provide for a mixture of medium-density dwellings similar to those in RM-4 districts with supporting commercial uses. The commercial uses are those permitted in C-2 districts, located in or below the ground story in most instances, and excluding automobile oriented establishments. Open spaces are required for dwellings in the same manner as in RM-4 districts, except that rear yards need not be at ground level and front set-backs are not required.

Sec. 705.14 Union Street Neighborhood Commercial District. This district is intended to provide for a mixture of comparison shopping goods and services both on a general and specialized basis to a local, citywide, and regional market area with primary emphasis providing retail sales and personal services at the street level.

Special controls for this district relate to the specific character of Union Street and deal with certain land use problems and conflicts that exist there. The controls are designed to:

1. Preserve the existing small-scale development along Union Street to assure new development is compatible with the present neighborhood commercial character and surrounding residential density of that area.
2. Prevent the addition of traffic and congestion on an already overburdened linear commercial strip by prohibiting drive-up uses.
3. Regulate the location, distribution, and proliferation of certain sensitive commercial uses as conditional (bars, restaurants, liquor stores, amusement enterprises, cabarets, hotels, and financial offices) in order to maintain the variety and mix of retail sales and personal services along the commercial strip, and to control the problems of traffic, congestion, noise, and late night activity associated with such uses.

Sec. 706.0 Neighborhood Commercial District Controls

- (a) Uses are permitted in neighborhood commercial use districts as indicated by the following symbols:
 - P: Permitted as a principal use in this district.
 - C: Subject to approval by the City Planning Commission as a conditional use in this district as provided in Section 303 and Section 705.3 of this Code and in the applicable subsections of Section 703.
 - NP: Not permitted in this district.
- (b) P when followed by a number and then C (e.g. $P \leq 10 > C$) means that the use is permitted as a principal use up to the specified number of uses and that uses above that number may be permitted only as a conditional use.
- (c) The numerical symbols, 1-, 2, and 3+ designate the permitted vertical mix in each of the neighborhood commercial district classifications as follows:
 - 1-, Ground story and below
 - 2, Second story , and
 - 3+, Third story and above.
- (d) The first column which appears in the table titled "Zoning Category " lists the zoning control categories. Definitions for each of these categories appear in Section 702. The second column on the following table, titled "Sub-section Number", lists the sub-section number of Section 702 in which the definition of the corresponding control may be found. These two columns shall be deemed to be a part of each separate neighborhood commercial district section.
- (e) The controls applicable to the various neighborhood commercial districts are indicated in the respective columns for each district in the following table. Each district column represents a separate section of this Code.
- (f) The following zoning controls and only the following controls, constitute quantitative standards as that term is used in Section 305 of this Code: Rear Yards; Open Space; Residential Off Street Parking; Commercial Off-Street Parking; Institutional Off-Street Parking; and Off-Street Freight Loading. Variances from the application of quantitative standards may be granted pursuant to the provisions of Section 305.

Zoning Category	Sub- § No.	§ 707 C-1	§ 708 C-2	§ 709 C-M	§ 710 RC-1	§ 711 RC-2	§ 712 RC-3	§ 713 RC-4	§ 714 Union Street
<u>BUILDING ENVELOPE</u>									
Rear Yards	.2	Rear 25% of lot depth, but not less than 15', at residential levels only	Rear 25% of lot depth but not less than 15', at residential levels only	Rear 25% of lot depth but not less than 15', at residential levels only	Rear 25% of lot depth but not less than 15', at grade level and above	Rear 25% of lot depth but not less than 15', at residential levels only	Rear 25% of lot depth but not less than 15', at residential levels only	Rear 25% of lot depth but not less than 15', at residential levels only	Rear 25% of lot depth but not less than 15', at residential levels only
Open Space	.3	Refer to § 135	Refer to § 135	Refer to § 135	Refer to § 135	Refer to § 135	Refer to § 135	Refer to § 135	Refer to § 135
Residential Off-Street Parking	.4	1 space per unit	1 space per unit	1 space per unit	1 space per unit	1 space per unit	1 space per unit	1 space per 4 units	1 space per unit
Commercial Off-Street Parking	.5	Refer to § 151	Refer to § 151	Refer to § 151	Refer to § 151	Refer to § 151	Refer to § 151	Refer to § 151	Refer to § 151
Institutional Off-Street Parking	.6	Refer to § 151	Refer to § 151	Refer to § 151	Refer to § 151	Refer to § 151	Refer to § 151	Refer to § 151	Refer to § 151
Off-Street Freight Loading	.7	Refer to § 152	Refer to § 152	Refer to § 152	Refer to § 152	Refer to § 152	Refer to § 152	Refer to § 152	Refer to § 152
Height	.8	Refer to Height Map	Refer to Height Map	Refer to Height Map	Refer to Height Map	Refer to Height Map	Refer to Height Map	Refer to Height Map	Refer to Height Map
Floor Area Ratio	.9	3.6 to 1 resid. units included	3.6 to 1 resid. units included	9.0 to 1 resid. units included	1.8 to 1 resid. units not included	1.8 to 1 resid. units not included	3.6 to 1 resid. units not included	4.8 to 1 resid. units not included	3.6 to 1 resid. units included
Square Footage per Establishment	.10	No Limit	No Limit	No Limit	No Limit	No Limit	No Limit	No Limit	P < 2500 sq.ft. C > 2501 sq.ft.
Dwelling Unit Density	.11	Refer to § 215(a)	Refer to § 215(a)	Refer to § 215(a)	Refer to 209.1(i & m)	Refer to 209.1(j & m)	Refer to § 209.1(k & m)	Refer to § 209.1(l & m)	1 unit per 600 sq.ft.
Drive-Up Facility	.12	NP	P	P	NP	NP	NP	NP	NP
Outdoor Activity	.13	P	P	P	P	P	P	P	C
Accessory Parking	.14	P	P	P	P	P	P	P	C
<u>GENERAL CHARACTERISTICS</u>									
Street Trees	.20	Not Required	Not Required	Not Required	Required	Required	Required	Required	Not Required
General Advertising Sign	.21	NP	P	P	NP	NP	NP	NP	P
Projecting Business Sign	.22	P	P	P	NP	NP	NP	NP	P
Awning	.23	P	P	P	NP	NP	NP	NP	P

		§ 707 C-1	§ 708 C-2	§ 709 C-M	§ 710 RC-1				§ 711 RC-2				§ 712 RC-3				§ 713 RC-4				§ 714 Union Street
Zoning Category	Sub- § No.	Stories	Stories	Stories	Stories			Stories			Stories			Stories			Stories			Stories	
		All	All	All	All	1-	2	3+	All	1-	2	3+	All	1-	2	3+	All	1-	2	3+	All
<u>RETAIL SALES AND PERSONAL SERVICES</u>																					
Bar	.40	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	$P \leq 10 > C$
Full-Service Restaurant	.41	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	$P \leq 30 > C$
Self-Service Restaurant	.42	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	$P \leq 10 > C$
Take-Out Food Establishment	.43	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	$P \leq 3 > C$
Liquor Store	.44	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	C
Cabaret	.45	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	C
Movie Theater	.46	NP	P	P	NP					P	C	C		P	C	C		P	C	C	P
Amusement Enterprise	.47	NP	P	P	NP					P	C	C		P	C	C		P	C	C	C
Adult Entertainment Facility	.48	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	P
Hotel	.49	P	P	P	C				C				C				C				C
Motel	.50	NP	P	P	NP				NP				NP				NP				P
Animal Clinic or Hospital	.51	NP	C	P	NP				NP				NP				NP				C
Kennel or Stable	.52	NP	NP	P	NP				NP				NP				NP				NP
Auto Station-Gas Only	.53	P	P	P	NP				NP				NP				NP				P
Auto - Minor Repair	.54	P	P	P	NP				NP				NP				NP				P
Auto - Body Repair	.55	NP	NP	C	NP				NP				NP				NP				NP
Automobile Wash	.56	NP	C	C	NP				NP				NP				NP				C
Tire Recapping Facility	.57	NP	NP	P	NP				NP				NP				NP				NP
Vehicle Sale	.58	NP	P	P	NP				NP				NP				NP				P
Lot for Vehicle Sale	.59	NP	C	P	NP				NP				NP				NP				C
Community Garage	.60	P	P	P	C				C				C				C				P
Parking Garage/Lot	.61	C	P	P	C				C				C				C				P

Zoning Category	Sub- § No.	§ 707 C-1	§ 708 C-2	§ 709 C-M	§ 710 RC-1				§ 711 RC-2				§ 712 RC-3				§ 713 RC-4				§ 714 Union Street
		Stories	Stories	Stories	Stories				Stories				Stories				Stories				Stories
		All	All	All	All	1-	2	3+	All	1-	2	3+	All	1-	2	3+	All	1-	2	3+	All
Commercial Vehicle Storage	.62	NP	NP	P	NP				NP				NP				NP				NP
Parcel Delivery Service	.63	NP	C	P	NP				NP				NP				NP				C
Laundry/Off-Site Cleaning	.64	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	P
On-Site Dry Cleaning	.65	C	P	P		C	NP	NP		P	C	C		P	C	C		P	C	C	P
Trade Shop	.66	NP	P	P	NP					P	C	C		P	C	C		P	C	C	P
Other Retail/Service	.78	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	P
<u>OFFICES</u>																					
Financial Office	.80	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	$P \leq 6 > C$
Other Office	.81	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	P
<u>MISCELLANEOUS OTHER USES</u>																					
Assembly Facility	.90	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	P
Greenhouse/Nursery	.91	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	P
Truck Gardening	.92	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	P
Ambulance Service	.93	NP	C	P	NP				NP				NP				NP				C
Mortuary Establishment	.94	NP	C	P	NP				NP				NP				NP				C
Public Structure	.95	P	P	P	P				P				P				P				P
Utility Installation	.96	P	P	P	C				C				C				C				P
Transportation, Transmission Facility	.97	C	C	C	NP				NP				NP				NP				C
Planned Unit Development	.98	C	C	C	C				C				C				C				C
<u>WHOLESALE AND MANUFACTURING</u>																					
Household Storage	.100	NP	C	P	NP				NP				NP				NP				C
Wholesaling, Light Manufacturing	.101	NP	NP	P	NP				NP				NP				NP				NP

Zoning Category	Sub- § No.	§ 707 C-1	§ 708 C-2	§ 709 C-M	§ 710 RC-1				§ 711 RC-2				§ 712 RC-3				§ 713 RC-4				§ 714 Union Street
		Stories	Stories	Stories	Stories				Stories				Stories				Stories				Stories
		All	All	All	All	1-	2	3+	All	1-	2	3+	All	1-	2	3+	All	1-	2	3+	All
<u>HOUSING</u>																					
Dwelling Unit	.110	P	P	C	P				P				P				P				P
Group Housing	.111	P	P	C	P				P				P				P				P
<u>INSTITUTIONS</u>																					
Hospital, Medical Center	.120	C	C	C	C				C				C				C				C
Outpatient Facility	.121	P	P	P	C				C				C				C				P
Resid. Care Facility up to 6 persons	.122	P	P	P	P				P				P				P				P
Resid. Care Facility more than 6 persons	.123	P	P	P	C				C				C				C				P
Child-Care Facility up to 12 children	.124	P	P	P	P				P				P				P				P
Child-Care Facility 12 children	.125	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	P
Schools	.126	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	P
Industrial Arts School	.127	NP	NP	P	NP				NP				NP				NP				NP
Church/Philanthropic	.128	P	P	P		P	C	C		P	C	C		P	C	C		P	C	C	P

Sec. 790.0 Other Applicable Sections of the City Planning Code

- a) Reference should be made to other sections which also apply to neighborhood commercial districts. These sections and their titles are listed below.

Article 1 - General Zoning Provisions

Sec. 101	Purposes
Sec. 102	Definitions
Sec. 104	Zoning Map
Sec. 106	Zoning Map Incorporated Herein
Sec. 109	Severability

Article 1.2 - Dimensions, Areas, Open Spaces

Sec. 121	Minimum Lot Width
Sec. 122	Height and Bulk
Sec. 123	Maximum Floor Area Ratio
Sec. 124	Floor Area Premiums
Sec. 125	Basic Floor Area Ratio
Sec. 130	Yard and Setback Requirements
Sec. 131	Legislated Setback Line
Sec. 136	Obstructions over Streets and Alleys
Sec. 140	All Dwelling Units to Face An Open Area
Sec. 141	Screening of Rooftop Features

Article 1.5 - Off Street Parking & Loading Spaces

Sec. 150	Off-Street Parking and Loading Required
Sec. 153	Rules for Calculation of Required Spaces
Sec. 154	Minimum Dimensions for Required Off-Street Parking & Loading Spaces
Sec. 155	General Standards as to Location & Arrangement of Off-Street Parking and Loading Spaces
Sec. 156	Parking Lots
Sec. 157	Conditional Use applications for Parking Exceeding Accessory Amounts
Sec. 159	Required Off-Street Parking Not On Same Lot as Structure or Use
Sec. 160	Collective Provision and Joint Use of Required Off-Street Parking
Sec. 161	Exemptions from Off-Street Parking and Loading Requirements

Article 1.7 - Compliance

Sec. 170	Applicability of Requirements
Sec. 171	Compliance of Uses Required
Sec. 172	Compliance of Structures, Open Spaces, and Off-Street Parking and Loading
Sec. 173	Compliance of Lots Required
Sec. 174	Compliance of Conditions
Sec. 175	Approval of Permits
Sec. 176	Enforcement against Violations
Sec. 180	Nonconforming Uses, Noncomplying Structures, and Substandard Lots
Sec. 181	Nonconforming Uses: Enlargements, Alterations, or Reconstruction

Sec. 182 Nonconforming Uses: Changes of Use
Sec. 183 Nonconforming Uses: Discontinuance and Abandonment
Sec. 184 Short-Term Continuance of Certain Nonconforming Uses

Article 2 - Use Districts

Sec. 203 Effect on Certain Public Services
Sec. 204 Accessory Uses General
Sec. 204.4 Dwelling Unit Access to Other Uses
Sec. 204.5 Parking and Loading as Accessory Uses
Sec. 205 Temporary Uses
Sec. 208 Density Limitations for Group Housing
Sec. 236 Garment Shops Special Use District
Sec. 237 Automotive Special Use District
Sec. 239 Washington-Broadway Special Use District
Sec. 242 Special Use Districts
Sec. 242.2 Sacramento Street Special Use District
Sec. 242.3 Upper Fillmore Special Use District
Sec. 242.4 Haight Street Special Use District
Sec. 242.5 Castro-18th Street Special Use District
Sec. 242.6 Upper Market Street-West Special Use District
Sec. 242.7 Upper Market Street-East Special Use District
Sec. 242.8 24th Street-Noe Valley Special Use District
Sec. 242.9 24th Street-Mission Special Use District
Sec. 242.10 Valencia Street Special Use District

Article 2.5 - Height and Bulk Districts

Sec. 250 Height and Bulk Districts Established
Sec. 251 Height and Bulk Districts - Purpose
Sec. 252 Classes of Height and Bulk Districts
Sec. 260 Height Limits - Method of Measurement
Sec. 262 Additional Height Limits - Applicable to Signs
Sec. 270 Bulk Limits - Measurement

Article 3 - Zoning Procedures

Sec. 301 General Description
Sec. 302 Amendments
Sec. 303 Conditional Uses
Sec. 304.5 Institutional Master Plans
Sec. 305 Variances
Sec. 306(e) Special Use District fees
Sec. 312 Special Use District Zoning Procedures

Article 6 - Signs

Sec. 602 Definitions
Sec. 603 Exemption
Sec. 604 Permits and Conformity
Sec. 607 Commercial and Industrial Districts
Sec. 608 Special Sign Districts
Sec. 609 Amortization period

Article 10 - Preservation of Historical, Architectural and Aesthetic Landmarks, Inclusive

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NEGATIVE DECLARATION

UNIVERSITY OF CALIFORNIA

Date of Publication of
Preliminary Negative Declaration: December 31, 1982

Lead Agency: City and County of San Francisco, Department of City
Planning, 450 McAllister St. - 5th Floor, San Francisco, CA 94102
Agency Contact Person: Lori Yamauchi/Diane Oshima Tel: (415) 558-5261

Project Title: Neighborhood Commercial Rezoning Study
82.15ET
Project Sponsor: City and County of San Francisco - Department of City Planning
Project Contact Person: Robin Jones

Project Address: All C-1, C-2, C-M, RC-1, PC-3, RC-3, and RC-4 zoned portions and the
Assessor's Block(s) and Lot(s): varied Union Street District
City and County: San Francisco

Project Description: The project would establish Article 7, a new section of the Planning Code created for neighborhood commercial districts. Article 7 would update, clarify and consolidate the existing neighborhood commercial zoning categories into one framework; translate all existing permanent neighborhood commercial zoning controls into the framework; and revise the existing zoning procedures applicable to neighborhood commercial districts.

THIS PROJECT COULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15081 (Determining Significant Effect), 15082 (Mandatory Findings of Significance) and 15084 (Decision to Prepare an EIR), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached:
see attached

Mitigation measures, if any, included in this project to avoid potentially significant effects:

Final Negative Declaration adopted and issued on _____

Alec Bash, Environmental Review Officer

NCRS

Proposed New Article of the Planning Code for Neighborhood Commercial Districts Preliminary Negative Declaration

I. Project Description

The proposed project would consolidate all zoning categories, controls and procedures applicable to neighborhood commercial districts in San Francisco into a new article of the Planning Code, Article 7. The Department of City Planning proposal for Article 7 would involve changes in format and procedures without substantive changes - in that:

- A. it would update, clarify and consolidate all existing zoning categories applicable to neighborhood commercial districts into one comprehensive framework;
- B. it would translate into the new framework the existing use authorizations and controls embodied in the existing permanent neighborhood commercial district classifications - C-1, C-2, C-M, RC-1, RC-2, RC-3, RC-4 and Union Street;
- C. it would revise and reformat the existing zoning procedures applicable to neighborhood commercial districts for amendments in controls or boundaries of districts and permit review.
- D. it would amend other sections of the Planning Code, involving deletions, references and other minor modifications.

Further detail is available in the January, 1983 publication, Proposed Article of the Planning Code for Neighborhood Commercial Districts.

II. Impacts Discussion

A. Consolidation, Update and Clarification of Zoning Categories

The modification and consolidation of zoning categories into a comprehensive framework would not generate any environmental impacts in neighborhood commercial districts because the changes would be non-substantive in nature. The proposal would involve a format change by incorporating existing neighborhood commercial zoning categories and their definitions into one Article 7 of the Code. The Code currently lists neighborhood commercial

controls in separate articles (Article 1 - Definitions; Article 1.2 - Dimensions, Areas, Open Spaces; Article 1.5 - Off-Street Parking and Loading; Article 2 - Permitted Uses; etc.).

The proposed zoning categories may be divided into the following three groups:

1. Categories which are equivalent to existing Code sections and are simply translations into the new Article. No changes in the categories or their definitions are proposed.
2. Categories which are similar to existing Code sections but require some modification prior to translation into the new Article 7. Modifications would involve clarification of definitions and consolidation of two or more categories where one category would be sufficient.
3. Categories which are proposed for inclusion in the new Article 7 to address individual needs of neighborhood commercial districts which have not been adequately addressed by the existing Code. These include categories which are explicitly identified in the Union Street Special Use District but not in the RC, C-1, C-2, or C-M districts. For example, the Union Street Special Use District categories separately identify bars from retail sales thus enabling special regulation of bars without specially regulating all other uses which fall under the retail sales category. In the current C-1, C-2, C-M and RC districts, these specific uses are controlled within the broader categories.

B. Translation of Existing Controls Into New Framework

The proposed translation of existing controls would not generate any physical environmental impacts because the substance and intent behind the application of such controls would remain the same as under the current code.

1. Most controls can be directly translated from the current Code into Article 7 because no change in the corresponding control categories has been proposed. These control categories are listed in Chapter 1 of the Proposed Article for Neighborhood Commercial Districts publication.

2. Other controls cannot be simply transferred from the current Code due to the proposed updating and clarifying of the zoning categories. The rationale for these proposed category modifications are discussed in Chapter 1 of the Proposed Article publication.

Minor modifications in controls would result from the proposed updating and clarifying of control categories, . Some involve the application of more restrictive controls, while others involve the application of less restrictive controls. In all cases, minimal or no adverse environmental impacts would be expected to result from the control modifications.

- a. In some cases, more restrictive controls are proposed. No adverse environmental impacts would result from restricting certain uses by applying a different review procedure. In the one instance where a prohibition is proposed, that of minor auto body repairs, the number of such uses that might be induced to locate in M-1 or M-2 districts of San Francisco is not such as to create a concentration with any adverse environmental impacts. The categories and controls proposed to be updated and modified include:

Existing Zoning Category	Existing Control	Proposed Zoning Category	Proposed Control
Dry Cleaning RC-1 districts: (§ 220(c-d), § 209.8(a-b))	Less than 40 lbs. is permitted on ground story; conditional above ground story. More than 40 lbs. not permitted	On-site Dry Cleaning (§ 710.65)	All on-site dry cleaning is conditional on ground story; not permitted above ground story
C-1 District (§ 220(c-d))	Less than 40 lbs. is permitted; more than 40 lbs. is not permitted.	On-Site Dry Cleaning (§ 707.65)	Conditional

Existing Zoning Category	Existing Control	Proposed Zoning Category	Proposed Control
Repair garage for minor repairs (body and fender repair) C-2 Districts (§ 223(h))	Minor body repairs of types listed are permit- ted.	Automobile Mechanical & Body Repair (§ 708.55)	Not Permitted
Storage Garage Public Bldg. C-1 Districts (§ 223(o))	Permitted	Public Parking Garage or Lot (§ 707.61)	Conditional
Parcel Delivery Service, including garage/repair facilities C-M Districts (§ 223(r))	Permitted	None	Permitted excluding garage/repair facilities

- b. In other cases, minor control changes to a less restrictive nature would result from updating control categories. The category definitions have been expanded to include mitigatory restrictions on the uses. Thus, any potential environmental impacts would be prevented by such restrictions. These categories and controls are discussed below:

Existing Zoning Category	Existing Control	Proposed Zoning Category	Proposed Control
Hand Ironing C-1 Districts (§ 220(b))	Not Permitted	None	Hand ironing as a principal use is to be eliminated. Technological advances have made this type of use obsolete.
Interior Decorating Shop C-1 Districts (§ 222(b))	Not Permitted	Other Retail Sales & Per- sonal Services (§ 707.78)	Permitted, excluding trade shop operation & storage

Existing Zoning Category	Existing Control	Proposed Zoning Category	Proposed Control
Office of a Contractor C-1 Districts (§ 222(f))	Not Permitted	Other Offices (§ 707.81)	Permitted, excluding non-accessory storage and equip- ment.
Auto service station Repair C-1 Districts (§ 223(f-g))	Certain minor servic- ing, repairs permitted; other minor repairs not permitted	Auto Service with minor repairs (§ 707.54)	All minor repairs are permitted. Definition updated to reflect techno- logical advancement and includes restrictions on operation and location to mitigate potential noise, fumes, traffic effects.
Storage Garage, non-public bldg., not completely enclosed C-2 Districts (§ 223(n))	Conditional	Public Parking Garage or Lot (§ 708.61)	Permitted and regulated in same manner as other parking garages and lots.
Animal Clinic or Hospital C-M Districts (§ 224(a-b))	Enclosed use conditional; unenclosed use at least 200 feet from R dis- trict is permitted	Animal Clinic or Hospital (§ 709.51)	Use which must be enclosed is permit- ted; unenclosed use is not permitted. No environmental effects would result from procedural change. Also, all animal hospitals/ clinics would be enclosed.

3. Some proposed control changes reflect revised thinking toward the identified uses as to their regulation in the respective districts. Some control changes involve more restrictive controls, while other changes would apply less restrictive controls.

a. In some cases, controls would be changed to more restrictive controls or conditional use review. No environmental effects would result from prohibiting certain uses or applying a different review procedure.

Existing Zoning Category	Existing Control	Proposed Zoning Category	Proposed Control
Hotel, up to 5 rooms RC Districts (§ 209.2(d))	Permitted	Hotel (§ 710.49, 711.49, 712.49 713.49)	All hotels, regardless of the number of rooms, are conditional.
Motel, with restrictions on entrance C-1 Districts (§ 216(a))	Permitted	Motel (§ 707.50)	All motels, with or without restrictions on entrance, are not permitted.
Mobile Home Park CM Districts (§ 215(b))	Conditional	None	Not Permitted
Amusement Park, Enclosed C-2 districts (§ 221(h))	Permitted	None	Not Permitted
Commercial Open Stadium Circus or Carnival, Unenclosed Amusement C-M district (§ 221(i-j))	Permitted	None	Not Permitted
Repair Garage for Minor and Major Repairs C-M Districts (§ 223(h-i))	Minor body repair is permitted; major engine repair is not permitted	Automobile Repair, Mechanical and Body Repair (§ 709.55)	Conditional

Existing Zoning Category	Existing Control	Proposed Zoning Category	Proposed Control
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Wireless Transmission
Facility

C-1, C-2, C-M Districts (§ 227(h))	Wireless transmitting facility less than 25 feet in height and without a sizable para- bolic antenna is permitted.	Public Trans- portation & Wireless Trans- mission Facility (§ 707.97, 708.97, 709.97)	Conditional
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- b. In other cases, a less restrictive control has been proposed. Such adjustments in controls would not generate any significant environmental effects because definitions have been elaborated to include restrictions which would mitigate potential environmental effects, such as noise, fumes or odors. These modified controls are discussed below:

Existing Zoning Category	Existing Control	Proposed Category	Proposed Control and Discussion
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Group Housing, Medical
and Educational

RC Districts (§ 209.2(c))	Conditional	Group Housing (§ 710.111)	All group housing is permitted. Distinc- tions in types of group housing are super- ficial. Procedural change would involve no environmental effects.
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Retail Sales and Personal
Services not limited
to sales or services
primarily for residents
in immediate vicinity
and not restricted to
sale of new commodities

RC-1 Districts (§ 218(b), 209.8(a-b))	Not Permitted	None	None - General "Other Retail Sales & Personal Services" Category would apply. Service area and "new commodities" restrictions have been
C-1 Districts (§ 218(b))	Not Permitted	None	

Existing Zoning Category	Existing Control	Proposed Category	Proposed Control and Discussion
			dropped, since they have not been strictly implemented. Therefore, no significant environmental effects would be attributed to proposed change.
Dairy Products Distribution Plant, Enclosed, With Parking, Experimental Lab C-M Districts (§ 225(h), 226(f))	Conditional	Wholesaling, Light Manu- turing (§ 709.101)	Permitted under general category. Procedural change would not generate any environmental effects. Also, new dairy products plants should be enclosed with sufficient parking for their vehicles. Also experimental laboratories would be regulated like other industrial research or testing laboratories.
Linear Frontage Union St. District (§ 242.1)	P up to 30 ft., C above 30 ft.	None	No limit on linear frontage - Linear frontage has been eliminated. Any environmental effects would be minimized because square footage control should adequately control size of commercial use.

C. New Zoning Procedures

The project would also incorporate and modify current amendment and review procedures applicable to neighborhood commercial districts. First, the proposed revised amendment procedure would allow established neighborhood groups to apply for both boundary and control changes, but such proposed

changes would become effective only upon action by the CPC or Board of Supervisors. This is a change from the current procedures which make map changes effective immediately at the time the request is filed (for a temporary period until CPC action). The revised amendment review procedures could not generate any physical environmental effects. It would only affect the timing of changes in zoning controls, not the ultimate decision as to the nature of the proposed change.

Secondly, the proposed Article 7 would revise conditional use review procedures in the following ways:

1. Streamline the review procedure by allowing the Zoning Administrator to review the application and make an initial determination, subject to CPC action, or appeal and full CPC hearing;
2. Define more specifically the citywide conditional use review criteria set forth in Section 303(c) as they apply to NCDs.

The proposed revised review process would not generate any physical environmental change. The revised NCD-specific conditional use criteria would conform with and reinforce the intent of the existing conditional use criteria/standards of Section 303(c) in the Planning Code. The more specific NCD conditional use criteria and guidelines could help to alleviate potential problems with proposed developments in NCDs. These potential problems include overconcentration of certain types of uses and their concomitant nuisances such as noise or traffic congestion.

D. Other Amendments to the Planning Code

The project would also revise other sections of the Planning Code by deleting certain categories, controls and procedures for C-1, C-2, C-M, RC districts and the Union Street District in Articles 1, 2, 3, 6 and 10 to be transferred into Article 7; adding references to Article 7; and making other minor non-substantive modifications. A list of the "Other Amendments to the Planning Code" is available on file at the Office of Environmental Review. No

significant adverse environmental impacts would result from these proposed revisions because the deletions and additions would involve no control changes and the other modifications are non-substantive and clearly would have no effect on the environment.

III. Conclusion

Based on the above discussion, the proposed project would primarily involve format and procedural changes. Therefore, it could not have a significant impact on the environment.

2995A

ENVIRONMENTAL EVALUATION CHECKLIST
(Initial Study)

File No: 82.15E Title: Neighborhood Commercial Rezoning Study
 Street Address: all C-1, C-2, C-M, RC-1, RC-2, RC-3 Assessor's Block/Lot: various
RC-4 zone districts of San Francisco and Union St.
 Initial Study Prepared by: Lori Yamamoto

A. COMPATIBILITY WITH EXISTING ZONING AND PLANS. Could the project:	<u>YES</u>	<u>NO</u>	<u>DISCUSS</u>
1. Require a variance, special authorization, or change to the City Planning Code or Zoning Map?	<u>✓</u>	<u>—</u>	<u>✓</u>
*2. Conflict with the Comprehensive Plan of the City and County of San Francisco?	<u>—</u>	<u>✓</u>	<u>—</u>
*3. Conflict with any other adopted environmental plans and goals of the City or Region?	<u>—</u>	<u>✓</u>	<u>—</u>
 B. ENVIRONMENTAL EFFECTS. Could the project:			
1. <u>Land Use</u>			
*a. Disrupt or divide the physical arrangement of an established community?	<u>—</u>	<u>✓</u>	<u>—</u>
b. Have any substantial impact upon the existing character of the vicinity?	<u>—</u>	<u>✓</u>	<u>—</u>
2. <u>Visual Quality</u>			
*a. Have a substantial, demonstrable negative aesthetic effect?	<u>—</u>	<u>✓</u>	<u>—</u>
b. Substantially degrade or obstruct any scenic view or vista now observed from public areas?	<u>—</u>	<u>✓</u>	<u>—</u>
c. Generate obstrusive light or glare substantially impacting other properties?	<u>—</u>	<u>✓</u>	<u>—</u>
3. <u>Population</u>			
*a. Induce substantial growth or concentration of population?	<u>—</u>	<u>✓</u>	<u>—</u>
*b. Displace a large number of people (involving either housing or employment)?	<u>—</u>	<u>✓</u>	<u>—</u>
c. Create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply?	<u>—</u>	<u>✓</u>	<u>—</u>
4. <u>Transportation/Circulation</u>			
*a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?	<u>—</u>	<u>✓</u>	<u>—</u>
b. Interfere with existing transportation systems, causing substantial alterations to circulation patterns or major traffic hazards?	<u>—</u>	<u>✓</u>	<u>—</u>

* Derived from State EIR Guidelines, Appendix G, normally significant effect.

YES	NO	DISCUSSED
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c. Cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?

—	✓	—
---	---	---

d. Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?

—	✓	—
---	---	---

5. Noise

*a. Increase substantially the ambient noise levels for adjoining areas?

—	✓	—
---	---	---

b. Violate Title 25 Noise Insulation Standards, if applicable?

—	✓	—
---	---	---

c. Be substantially impacted by existing noise levels?

—	✓	—
---	---	---

6. Air Quality/Climate

*a. Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?

—	✓	—
---	---	---

*b. Expose sensitive receptors to substantial pollutant concentrations?

—	✓	—
---	---	---

c. Permeate its vicinity with objectionable odors?

—	✓	—
---	---	---

d. Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect public areas, or change the climate either in the community or region?

—	✓	—
---	---	---

7. Utilities/Public Services

*a. Breach published national, state or local standards relating to solid waste or litter control?

—	✓	—
---	---	---

*b. Extend a sewer trunk line with capacity to serve new development?

—	✓	—
---	---	---

c. Substantially increase demand for schools, recreation or other public facilities?

—	✓	—
---	---	---

d. Require major expansion of power, water, or communications facilities?

—	✓	—
---	---	---

8. Biology

*a. Substantially affect a rare or endangered species of animal or plant or the habitat of the species?

—	✓	—
---	---	---

*b. Substantially diminish habitat for fish, wildlife or plants, or interfere substantially with the movement of any resident or migratory fish or wildlife species?

—	✓	—
---	---	---

c. Require removal of substantial numbers of mature, scenic trees?

—	✓	—
---	---	---

Geology/Topography

*a. Expose people or structures to major geologic hazards (slides, subsidence, erosion and liquefaction).

—	✓	—
---	---	---

b. Change substantially the topography or any unique geologic or physical features of the site?

—	✓	—
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YES NO DISCUSSE

10. Water

- *a. Substantially degrade water quality, or contaminate a public water supply? — ✓ —
- *b. Substantially degrade or deplete ground water resources, or interfere substantially with ground water recharge? — ✓ —
- *c. Cause substantial flooding, erosion or siltation? — ✓ —

11. Energy/Natural Resources

- *a. Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner? — ✓ —
- b. Have a substantial effect on the potential use, extraction, or depletion of a natural resource? — ✓ —

12. Hazards

- *a. Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected? — ✓ —
- *b. Interfere with emergency response plans or emergency evacuation plans? — ✓ —
- c. Create a potentially substantial fire hazard? — ✓ —

13. Cultural

- *a. Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scientific study? — ✓ —
- *b. Conflict with established recreational, educational, religious or scientific uses of the area? — ✓ —
- c. Conflict with preservation of any buildings of City landmark quality? — ✓ —

C. OTHER

Require approval of permits from City Departments other than DCP or BBI, or from Regional, State or Federal Agencies? — ✓ —

YES NO N/A DISCUSS

D. MITIGATION MEASURES

- 1. If any significant effects have been identified, are there ways to mitigate them? — ✓ —
- 2. Are all mitigation measures identified above included in the project? — ✓ —

E. MANDATORY FINDINGS OF SIGNIFICANCE

- *1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or pre-history? — ✓ —
- *2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? — ✓ —
- *3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable? (Analyze in the light of past projects, other current projects, and probable future projects.) — ✓ —
- *4. Would the project cause substantial adverse effects on human beings, either directly or indirectly? — ✓ —
- *5. Is there a serious public controversy concerning the possible environmental effect of the project? — ✓ —

F. ON THE BASIS OF THIS INITIAL STUDY:

- ☒ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Department of City Planning.
- ☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because the mitigation measures, numbers _____, in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Robert W. Passmore
 for Robert W. Passmore
 Assistant Director of Planning -
 Implementation
 (Zoning Administrator)

for

Dean L. Macris
 Director of Planning

Date: _____